

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

4 December 2024

His Worship the Mayor & Councillors

Notice of Ordinary Meeting of Bathurst Regional Council – Wednesday 11 December 2024

I have to advise that an Ordinary Meeting of Bathurst Regional Council will be held in the Council Chambers on Wednesday 11 December 2024 commencing at 6:00 PM or immediately following the conclusion of the Public Forum session.

Public Forum will be held from 6.00 pm where there will be an opportunity for members of the public to raise matters with Council.



D J Sherley

GENERAL MANAGER

**MINUTES OF THE ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL
HELD ON Wednesday 11 December 2024**

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1 PUBLIC FORUM

MINUTE

Gordon Crisp – Financial Auditors Report and Item 8.1.4 – Spoke to the Financial Audits and Item 8.1.4, Cr Packham's Oath and Affirmation.

CHAIR requested Mr Crisp clarify which item he was speaking to.

DEPUTY MAYOR AND GENERAL MANAGER noted that Mr Crisp's items raised did not relate to the agenda. The **DEPUTY MAYOR** on a number of occasions requested clarification as to which item Mr Crisp was talking to, Mr Crisp refused to do this.

Michael Griffiths – Asbestos Havannah Street – Spoke to the asbestos near Havannah Street.

DEPUTY MAYOR request Mr Griffiths advise which item of the agenda he was speaking to.

Mr Griffiths was not able to advise what item he was referring to.

Katie Swiatkiwsky – Asbestos Havannah Street – Spoke to the asbestos at Havannah Street and requested that Council come clean it up. Has asked Council to come and look at the site and the waste. Noted that the machine should not have been taken off site. The area has not been remediated.

DEPUTY MAYOR noted that he understands the site needs to be cleaned.

DES confirmed 3 certificates (clearance) have been issued by independent assessor. Remaining asbestos is being worked on with the EPA.

Denise Hodges – Asbestos Havannah Street – Spoke to works that have been occurring, including mowing, and noted that this has been good. Noted there is still the issue with asbestos on the site. Residents cannot pay for the area to be tested. Wished to know who are the independent assessors that are being used? Noted that the fence has been taken down and then put back up, this is appreciated. Council does not need another lawsuit. Noted that she wishes to hear from Council.

Desley Ford – Item 11.2 Notice of Motion: Cemeteries – Wished to speak to this matter and in particular the Georges Plains cemetery. Spoke to current condition and overgrown grass. Requests Council clean this up as soon as possible as there are no community members who can maintain the area. Spoke to photos taken of the site and the need to keep the cemetery open. Spoke to item 8.1.1 the BARN project and provided feedback that the project is a waste of time and money. Spend the money on the cemeteries, roads and carparks.

Ingrid Pearson – Item 8.2.4 Streets and shared spaces – Spoke to de-installation and asked why this cost was not included in the original grant application.

DEPBS noted that there is no specific allocation in the budget and that this will be accommodated for in the existing budgets.

DEPUTY MAYOR noted that cost savings from maintenance will be utilised for the decommissioning.

DEPBS noted that the materials will be reused at Kefford Street nursery.

Ms Pearson asked if Kefford Street nursery is privately owned or Council owned?

DEPBS advised that it is Council owned.

Ms Pearson sought clarification on the planter boxes.

DEPBS advised they will also be relocated to Kefford Street nursery.

Ms Pearson asked if Council will be de-constructing the Ribbon Gang Lane facility?

DEPBS advised that no, this will remain. The item to be decommissioned is Machattie Lane.

Ms Pearson then asked about the Blue Bee artwork and if this will be replaced. What of the licence agreement?

DEPBS advised not at this date, it depends on any determination into the future. There is no replacement program in place.

Ms Pearson noted that Council needs to look at a Plant the Tree program for the CBD.

Anne Balcombe – **Item 8.5.1 BARN Project** – Thanked Council for providing all the BARN documentation. Spoke to the funding expanded to date and feels the estimate is insufficient. Noted that if the current program goes ahead, there will be a \$750k shortfall. Spoke to YourSay survey and the questions asked.

DCCS spoke to budget and the program in place. Noted that funding streams are being sourced and requested.

Stuart Pearson – **Item 8.2.5 Draft Airport Masterplan** – Noted the airport runs at a loss of around \$400k p.a. The Master Plan looks at revitalising the airport and noted indicative costs to implement. Encourages Council to look at the big picture items for the future of the region. Seeks people to put in submissions on the Master Plan. Raised revenue options/value proposition and possible users. The location near Sydney offers attractive options. Noted marketing is an important facet in the way forward.

Public Forum closed 6.47pm

2 RECORDING OF MEETINGS

3 MEETING COMMENCES

MINUTE

Meeting commenced at 6.47pm.

Present: Cr W Aubin, Cr N Cranston, Cr B Fry (CHAIR), Cr T Gullifer, Cr R Taylor (TEAMS), Cr E West, Cr J Underwood, Cr N Packham, Cr S Wright

4 PRAYER AND ACKNOWLEDGEMENT OF COUNTRY

5 APOLOGIES OR ATTENDANCE BY AUDIO-VISUAL LINK

MINUTE

MOVED: Cr W Aubin SECONDED: Cr N Packham

RESOLVED:

That the attendance via audio-visual link of Cr R Taylor be accepted.

6 MINUTES

6.1 CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING 20 NOVEMBER 2024

File No: 11.00005

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 20 November 2024 be adopted.

REPORT:

The Minutes of the Ordinary Meeting of Bathurst Regional Council held on 20 November 2024 are attached.

FINANCIAL IMPLICATIONS:

Nil

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 6: Community leadership and collaboration.

Strategy 6.4 Meet legislative and compliance requirements.

COMMUNITY ENGAGEMENT:

01 **Inform** - to provide the public with balanced and objective information to help them understand the problem, alternatives, opportunities and/or solutions.

ATTACHMENTS:

1. 201124 Ordinary Minutes Only [6.1.1 - 44 pages]

MINUTE

RESOLUTION NUMBER: ORD2024-332

MOVED: Cr E West SECONDED: Cr J Underwood

RESOLVED:

That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 20 November 2024 be adopted.

7 DECLARATION OF INTEREST

Declaration of Interest

MINUTE

RESOLUTION NUMBER: ORD2024-333

MOVED: Cr T Gullifer SECONDED: Cr E West

RESOLVED: That the Declaration of Interest be noted.

Cr N Packham declared a pecuniary interest in item 8.2.2 of the DEPBS Report.
REASON: DA's pending list and DA's approved list include a development at 239 Lawrence Drove, Kelso. They are Vivability Ltd developments of which Cr Packham is CEO.

General Manager David Sherley declared a pecuniary interest in item 12.1.1 of the Mayoral Confidential Report.

REASON: Concerns the General Managers employment.

8 RECEIVE AND DEAL WITH GENERAL MANAGER'S AND DIRECTORS' REPORTS

8.1 GENERAL MANAGER'S REPORT

8.1.1 DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURNS

FILE NO: 11.00002-06

RECOMMENDATION:

That the completed Disclosure of Interest for Councillors and Designated Persons Returns for the newly elected Councillors be noted.

REPORT:

In accordance with the provisions of Council's Code of Conduct (Clause 4.25), the Disclosure of Interest for Councillors and Designated Persons Returns for Councillors will be tabled at the meeting.

FINANCIAL IMPLICATIONS:

Nil

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 6: Community leadership and collaboration.

Strategy 6.4 Meet legislative and compliance requirements.

COMMUNITY ENGAGEMENT:

01 **Inform** - to provide the public with balanced and objective information to help them understand the problem, alternatives, opportunities and/or solutions.

ATTACHMENTS:

Nil

MINUTE

RESOLUTION NUMBER: ORD2024-334

MOVED: Cr W Aubin SECONDED: Cr E West

RESOLVED:

That the completed Disclosure of Interest for Councillors and Designated Persons Returns for the newly elected Councillors be noted.

8.1.2

CENTRAL NSW JOINT ORGANISATION (CNSWJO) BOARD MEETING 13-14 NOVEMBER 2024

FILE NO: 07.00017

RECOMMENDATION:

That the report on the Central NSW Joint Organisation Board Meeting held on 13-14 November 2024 be noted.

REPORT:

The recent meeting of the Central NSW Joint Organisation Board was held at Government House in Sydney on the 13 November 2024. The following day the Board met NSW Government Ministers including the Premier and Treasurer, coordinated through the Office of Mr Phil Donato, Member for Orange.

There has been change to the CNSWJO Board with recently elected Mayors being as follows:

Cr R Taylor	Bathurst Regional Council
Cr B Reynolds	Blayney Shire Council
Cr K Beatty	Cabonne Council
Cr P Smith	Cowra Council
Cr P Miller, OAM	Forbes Shire Council
Cr J Medcalf, OAM	Lachlan Shire Council
Cr C Coleman	Lithgow City Council
Cr A McKibbin	Oberon Council
Cr T Mileto	Orange City Council
Cr N Westcott	Parkes Shire Council
Cr P Best	Weddin Shire Council

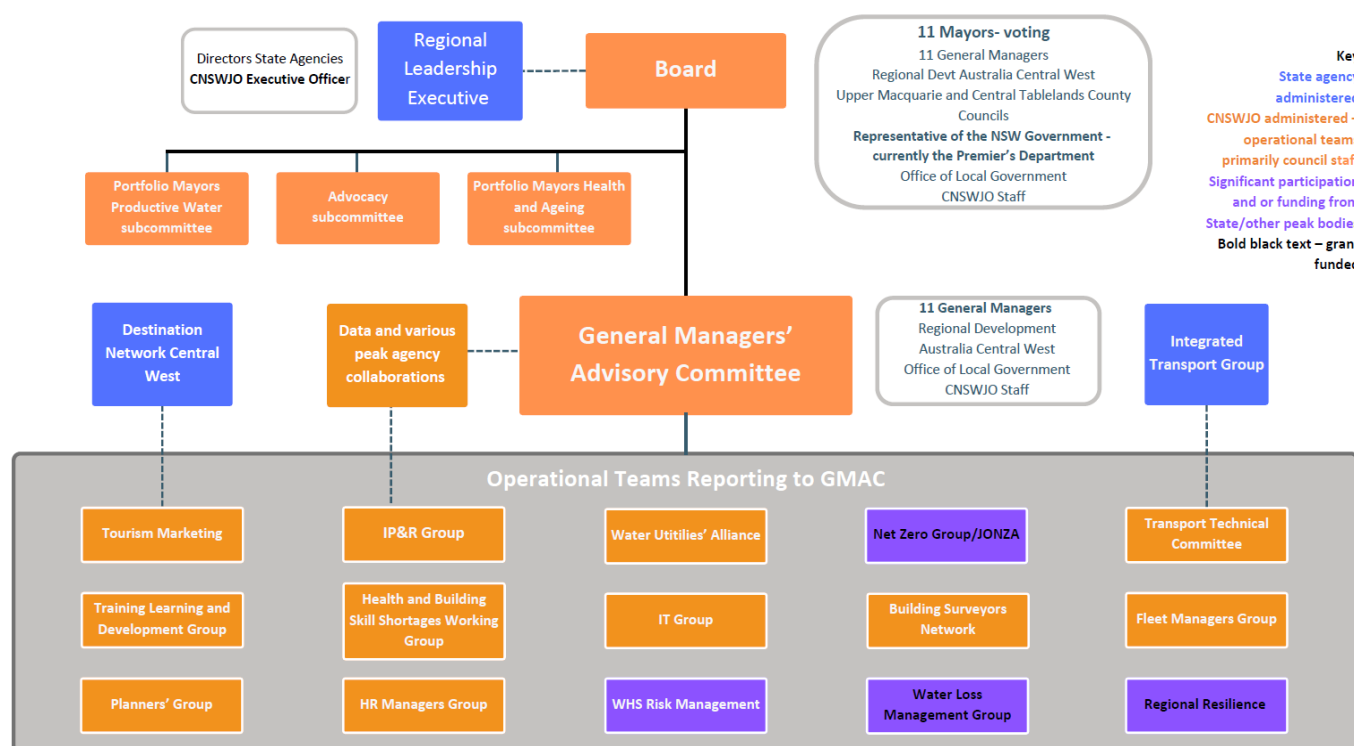
The meeting began with the election of the Chair and Deputy Chair. Cr Kevin Beatty, Mayor of Cabonne was elected Chair, unopposed. Cr Phyllis Miller OAM, Mayor of Forbes was elected Deputy Chair, unopposed.

Given this is the first meeting of the Board after the September election, Portfolio Mayors were appointed to the seven priorities of the Board.

Speakers to the Board were Mr Andrew McConville, Chief Executive from the Murray Darling Basin Authority and Mr David Reynolds, Chief Executive from Local Government NSW.

The Executive Officer provided a brief introduction to the business paper, the region's priorities and the JO structure.

Updates were provided from the Office of Local Government, Regional Development Australia Central West and the Premier's Department.



CNSWJO Structure

The Board adopted the Annual Statements including Financial Statements which can be found at Central NSW Joint Organisation Annual Statement for 2024. In summary, CNSWJO value to members included:

- 26 submissions lodged on priorities identified in region ranging from council financial sustainability through to water reform;
- 32 plans, strategies and other collateral that members can leverage for funding, advocacy, forward planning and other purposes;
- 175 representation and collaboration opportunities;
- \$5m in net cost savings from aggregated procurement and AER determination;
- \$1.3m in grants for members; and
- \$1.43m in public relations value through its regional destination marketing program.

The Board resolved to table correspondence at its meeting with NSW Government representatives regarding concerns about the funding framework, particularly for mining affected communities.

The following day was one of engagement with NSW Government representatives. The day began with a welcome by the Premier of NSW, the Hon Chris Minns. Mayors raised local and regional issues with the following Ministers:

- The Hon Chris Minns MP – Premier of NSW;
- The Hon Jenny Aitchison MP – Minister for Regional Transport and Roads;
- The Hon Daniel Mookhey, MLC -Treasurer;
- The Hon Tara Moriarty MLC -Minister for Agriculture, Minister for Regional New South Wales and Minister for Western New South Wales;
- The Hon Rose Jackson MLC- Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth and Minister for the North Coast;
- The Hon Ryan Park MP, Minister for Health, Minister for Regional Health and Minister for the Illawarra and the South Coast;
- The Hon Paul Scully MP, Minister for Planning and Public Spaces;
- The Hon Jihad Dib MP, Minister for Customer Service and Digital Government, Minister for Emergency Services and Minister for Youth Justice; and
- The Hon Ron Hoenig MP – Minister for Local Government.

Submissions

The following submissions have been lodged since the last Board meeting. All have been at the request of members and/or as part of supporting the advocacy policy of the Board. All previous submissions can be viewed on the CNSWJO website at [Submissions - Central Joint Organisation \(nsw.gov.au\)](https://www.nsw.gov.au/submissions-central-joint-organisation)

- [Submission on the third inquiry into the Rural and Regional Health Services – October 2024](#)
- [Feedback on New National Water Agreement – September 2024](#)
- [Feedback on Draft Australian Drought Policy – September 2024](#)
- [Submission to the Select Committee on Essential Worker Housing on Options for Essential Worker Housing – September 2024](#)
- [Submission on the Council Apprentice, Trainee and Cadet Program Funding Guidelines – September 2024](#)
- [Submission on the Draft Disaster Adaption Plan Guidelines – August 2024](#)

Memorandum of Understanding (MoU) and work with the Rural Doctors' Network (RDN)

The MoU with the RDN was reconfirmed in the presence of the Minister for Health and Regional Health, the Hon Ryan Park. The past twelve months have seen the completion of a project on health literacy with the RDN. Final reports received in this regard and some recommendations were made at the regional level as per the below.

7.1 Advocacy

There are considerable gaps in the broader system that pose significant barriers to building the pool of healthcare professionals in the Central West. There were concerns about the gradual encroachment of engagement with health and health service delivery beyond the mandated environmental health Councils, work that is beyond the remit of council and unfunded. There is a significant advocacy component – as rural and remote continue to grapple with thin markets in primary care, characterized by inadequate supply of primary healthcare professionals to meet community demands, communities will find access to high quality, local, primary care more difficult. Councils bore the brunt of this and engage with the health system of necessity and often unfunded.

In conversations with Councils, it was also noted that challenges such as insufficient housing, readily available childcare options, and employment opportunities for family members could create barriers to attracting and retaining a health workforce.

There is an opportunity for CNSWJO to advocate for improved housing availability, access to childcare, and alternative funding models to improve health access for their respective constituencies.

There is opportunity to work with RDN to invite government representatives from health to attend a CNSWJO Meeting or visit Councils in the region. Given the recent *NSW Parliamentary Inquiry into Health Outcomes and Access to Health and Hospital Services in Rural, Regional and Remote New South Wales*, this could provide an opportunity for government to engage directly with Councils and learn more about local challenges.

CNSWJO is encouraged to engage in collaboration with peak agencies to share findings from this project and seek equitable outcomes for the region.

It could also advocate to have updated data on key health metrics including health workforce from RDN and the respective LHDs and PHNs.

7.2 Action Plan Implementation

The *Action Plan* lays out recommendations Council can consider to support access to health services. These can be implemented in collaboration with partners such as RDN and the Local Health Districts.

The steps followed in this project is part of a larger methodology, Collaborative Care, which Councils can consider implementing in partnership with RDN. The steps undertaken in this project form *Part One* of the method – full implementation of the target can help formulate targeted interventions for specific health issues communities face.

7.3 Collaborative Care

Collaborative Care is a community-centred approach to addressing the primary health care challenges in remote and rural NSW. These challenges include the provision of services, recruitment and retention of health practitioners, financial sustainability of health services, and continuity of care for patients.

The approach works with local health professionals and communities to create a primary health care access model that fits their needs. It does this by bringing communities from neighbouring areas together to co-design shared priorities and solutions. Collaborative Care Program is an extension of RDN's town-based health planning approach, which has proven successful for more than 30 years.

Support for incoming Councillors and the CNSWJO Statement of Strategic Regional Priority

Under the Local Government Act, Joint Organisations must undertake a review of their Statement of Strategic Regional Priority (SSRP) every new term of Council. This is a similar document to Council's Community Strategic Plan– but from a regional perspective.

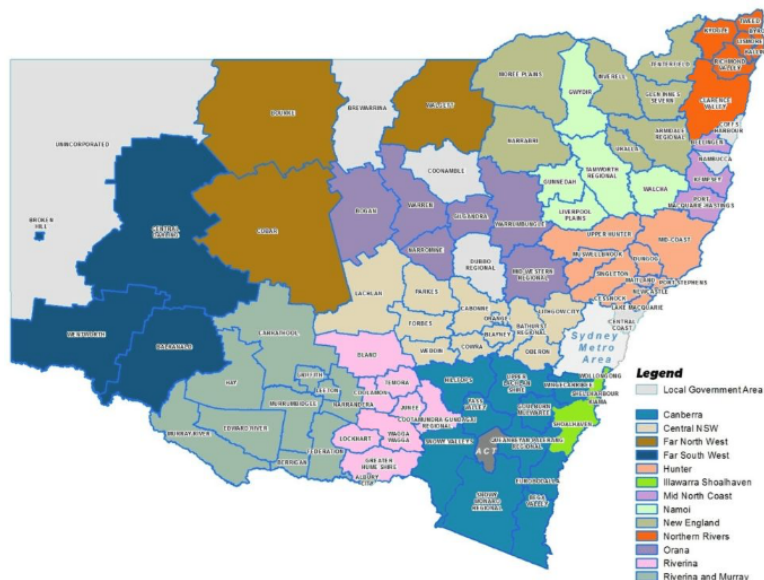
Guidance from the Office of Local Government states that the review should be conducted in consultation with all members and state agencies while referencing Council Community Strategic Plans.

The Board received advice about the development of the SSRP including two workshops with councillors from all member councils. At the time of writing, the first workshop will be held November 28 and will welcome this term of councillors to the region and provide background on CNSWJO. Councillors had an invitation placed in their diaries for this event.

The second workshop will focus more on what councillors from across the region want to see in the SSRP and this workshop will be held in March 2025.

CNSWJO Chair elected as Deputy Chair of the Joint Organisations' Forum

Subsequent to the meeting with State representatives the CNSWJO Chair was elected as Deputy Chair of the Joint Organisation's Chairs' Forum who work together on advocacy and leading practice.



Map of JO's in NSW

Value to Council

80% of CNSWJO resources are dedicated to providing its operational support program. For the 2023/2024 year this program delivered a return on investments of 8.3:1 for every dollar Council spends on its membership fees. This value is made up of grant income, monies saved through the CNSWJO procurement program and public relations value from its tourism marketing.

The work the region does in writing submissions, media, supporting projects and project teams, developing collateral and providing opportunities for members in various forums to represent their views is not included in the above figure of 8.3:1 ROI. However, this value is reported quarterly to the Board.

Grant funded projects for the 2023/2024 year were:

- The Joint Organisation Net Zero Acceleration Program (ongoing);
- Disaster Risk Reduction Fund Program (Round One completed);
- Disaster Ready Fund (Round 2 application);
- Bridge Assessments (due for completion in 2024/2025);
- A Business Case for Priority Investment in the Nexus between Net Zero and Energy Security (completed);
- A Regional Centre of Excellence in Water Loss Management (due for completion in 2024/2025);
- Transitioning Integrated Water Cycle Management Plans to Integrated Planning and Reporting (completed); and
- A Spare Capacity in Housing Project (completed).

Further applications have been made for programs under the auspices of the Board.

This value is delivered primarily by the various operational teams across the region including the CNSWJO;

- General Managers' Advisory Committee
- Water Utilities' Alliance
- Transport Technical Committee
- Tourism Managers Group
- Planners' Group
- Human Resources Managers Group
- WHS/Risk Management Group
- Training, Learning and Development Group
- Net Zero Group
- Regional IT Group
- Building Surveyors Skills Shortages Working Group
- Disaster Risk Reduction Steering Committee
- Fleet Managers Group (new!)
- Integrated Planning and Reporting Group (new!)

Please find following some highlights from the various operational support programs taken from a recent newsletter. For the full newsletter please go to [CNSWJO Quarterly Newsletter - Edition 1 - November 2024](#).

FINANCIAL IMPLICATIONS:

Nil

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 6: Community leadership and collaboration.

Strategy 6.4 Meet legislative and compliance requirements.

Strategy 6.6 Manage our money and our assets to be sustainable now and into the future.

COMMUNITY ENGAGEMENT:

01 **Inform** - to provide the public with balanced and objective information to help them understand the problem, alternatives, opportunities and/or solutions.

ATTACHMENTS:

Nil

MINUTE

RESOLUTION NUMBER: ORD2024-335

MOVED: Cr E West SECONDED: Cr N Cranston

RESOLVED:

That the report on the Central NSW Joint Organisation Board Meeting held on 13-14 November 2024 be noted.

8.1.3

DRAFT COMMUNITY ENGAGEMENT STRATEGY 2024-2028

FILE NO: 02.00003

RECOMMENDATION:

That Council:

- 1) Place the Draft Community Engagement Strategy 2024-2028 on public exhibition seeking feedback from the community and receive a further report to Council to adopt the Community Engagement Strategy following the exhibition period, and consideration of the community feedback.
- 2) Remove the Community Engagement Strategy Policy from Council's policy manual upon the formal adoption of Council's Community Engagement Strategy 2024-2028.

REPORT:

Under the Local Government Act 1993 - Section 406 Integrated Planning and Reporting (IP&R), the IP & R framework Council is required to review its Community Engagement Strategy (CES) within three months of the election of the new Council.

The CES is one of the documents that form part of the IP & R framework, the others include the Community Strategic Plan, the Annual Report and State of our Region report.

Under the IP & R framework Council must prepare and implement a CES based on the International Association of Public Participation (IAP2) framework and the NSW Government's social justice principles for engagement with the local community.

The CES is an integral part of Council's development of its updated Community Strategic Plan – with the engagement principles outlined in the strategy used to formulate Council's engagement processes with the community to seek the views of stakeholders to develop the plan, the community's long-term vision for the future of the region.

Council's CES has been reviewed and updated in line with the requirements outlined in the IP & R framework. Previously Council has also adopted a Community Engagement Strategy Policy which included the CES. It is included as **Attachment 1**.

To bring the document in line with the IP & R framework the principles outlined in the previous policy have been incorporated into the updated Strategy. The policy document is not a requirement under the IP & R framework and can be deleted from Council's policy manual.

In summary the following changes have been made to the CES to bring it in line with the framework set out by the Office of Local Government.

The 2024 document now includes:

1. Acknowledgement of Country

2. Message from the Mayor/General Manager
3. Our Vision & Mission
4. What is Community Engagement
5. Community Engagement Principles
6. Community Engagement & the Integrated Planning and Reporting Framework
7. Community Participation Plan
8. Community economic & demographic data
9. Who do we engage with
10. Closing the engagement loop/evaluation and measurement

CONCLUSION:

The Draft Community Engagement Strategy has been reviewed and updated in line with the Office of Local Government's IP & R requirements and should be placed on exhibition for community feedback.

FINANCIAL IMPLICATIONS:

Nil

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 6: Community leadership and collaboration.

Strategy 6.1 Communicate and engage with the community, government and business groups on important matters affecting the Bathurst region.

COMMUNITY ENGAGEMENT:

02 **Consult** - to obtain public feedback on alternatives and/or decisions

ATTACHMENTS:

1. BRC COMMUNITY ENGAGEMENT STRATEGY 2024-2028 DRAFT [8.1.3.1 - 16 pages]

MINUTE

MOVED: Cr N Cranston SECONDED: Cr E West

The following **MOTION** was **MOVED**.

That Council:

- 1) Place the Draft Community Engagement Strategy 2024-2028 on public exhibition seeking feedback from the community and receive a further report to Council to adopt the Community Engagement Strategy following the exhibition period, and consideration of the community feedback.
- 2) Remove the Community Engagement Strategy Policy from Council's policy manual upon the formal adoption of Council's Community Engagement Strategy 2024-2028.

The following **AMENDMENT** was **MOVED**.

MOVED: Cr E West SECONDED: Cr J Underwood

That Council:

- 1) Place the Draft Community Engagement Strategy 2024-2028 on public exhibition seeking feedback from the community and receive a further report to Council to adopt the Community Engagement Strategy following the exhibition period, and consideration of the community feedback.
- 2) Remove the Community Engagement Strategy Policy from Council's policy manual upon the formal adoption of Council's Community Engagement Strategy 2024-2028.
- 3) Refer the draft CES to a Council Working Party.

The **AMENDMENT** was **PUT** and was **LOST**.

MINUTE

RESOLUTION NUMBER: ORD2024-336

MOVED: Cr N Cranston SECONDED: Cr E West

RESOLVED:

That Council:

- 1) Place the Draft Community Engagement Strategy 2024-2028 on public exhibition seeking feedback from the community and receive a further report to Council to adopt the Community Engagement Strategy following the exhibition period, and consideration of the community feedback.
- 2) Remove the Community Engagement Strategy Policy from Council's policy manual upon the formal adoption of Council's Community Engagement Strategy 2024-2028.

On being **PUT** to the **VOTE**, a **DIVISION** was **CALLED** and the **MOTION** was **CARRIED**

The result of the division was:

In favour of the motion - Cr W Aubin, Cr N Cranston, Cr B Fry, Cr T Gullifer, Cr R Taylor, Cr J Underwood, Cr N Packham and Cr S Wright

Against the Motion - Cr E West

Absent - Nil

Abstain - Nil

8.1.4

OATH OR AFFIRMATION OF OFFICE BY COUNCILLORS

FILE NO: 11.00024

RECOMMENDATION:

That Council note that Cr Nick Packham has taken the Oath of Office (on 29 November 2024) as required by S:233A of the Local Government Act (1993).

REPORT:

Due to the recent resignation of Cr Jess Jennings, an election countback was held on 26 November 2024. As a result of the countback, Cr Nick Packham was elected, refer Result Notification at **attachment 1**.

Section 233A of the Local Government Act places a requirement on Councillors that they must take an oath of office or make an affirmation of office at or before the first meeting of the Council after the council is elected.

233A Oath and affirmation for councillors

- (1) *A councillor must take an oath of office or make an affirmation of office at or before the first meeting of the council after the councillor is elected.*
- (2) *The oath or affirmation may be taken or made before the general manager of the council, an Australian legal practitioner or a justice of the peace and is to be in the following form:*

Oath

I [name of councillor] swear that I will undertake the duties of the office of councillor in the best interests of the people of [name of council area] and the [name of council] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Affirmation

I [name of councillor] solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of [name of council area] and the [name of council] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

- (3) *A councillor who fails, without a reasonable excuse, to take the oath of office or make an affirmation of office in accordance with this section is not entitled to attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected to the office or a meeting at which the councillor takes the oath or makes the affirmation) until the councillor has taken the oath or made the affirmation.*

- (4) *Any absence of a councillor from an ordinary meeting of the council that the councillor is not entitled to attend because of this section is taken to be an absence without prior leave of the council.*
- (5) *Failure to take an oath of office or make an affirmation of office does not affect the validity of anything done by a councillor in the exercise of the councillor's functions.*
- (6) *The general manager must ensure that a record is to be kept of the taking of an oath or the making of an affirmation (whether in the minutes of the council meeting or otherwise).*

Councillor Packham took the Oath of Office on 29 November 2024 before the General Manager.

FINANCIAL IMPLICATIONS:

Nil

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 6: Community leadership and collaboration.

Strategy 6.4 Meet legislative and compliance requirements.

Strategy 6.5 Be open and fair in our decisions and our dealings with people.

COMMUNITY ENGAGEMENT:

01 **Inform** - to provide the public with balanced and objective information to help them understand the problem, alternatives, opportunities and/or solutions.

ATTACHMENTS:

- 1. Result Notification [8.1.4.1 - 1 page]

MINUTE

RESOLUTION NUMBER: ORD2024-337

MOVED: Cr T Gullifer SECONDED: Cr J Underwood

RESOLVED:

That Council note that Cr Nick Packham has taken the Oath of Office (on 29 November 2024) as required by S:233A of the Local Government Act (1993).

8.1.5

CORPORATE COMMUNICATIONS ACTIVITY REPORT

FILE NO: 19.00005

RECOMMENDATION:

That the report be noted.

SUMMARY:

The report provides an overview of the operations and activities of the Corporate Communications function in 2024

REPORT:

The Corporate Communications team oversees a range of external and internal communications and engagement functions. The team of four (three full-time and one part-time role) is responsible for corporate messaging to both internal and external stakeholders. For much of 2024 the team has been operating with reduced staff levels (at time with just two staff members and is currently at three) while recruitment has been undertaken.

The team is directly responsible for activities including;

BRC News Bites (ratepayer newsletter) - 14,500 copies distributed four times per year and available electronically with e-rates notices and via the Bathurst Regional Council website.

Media releases, media opportunities and media responses – in 2024 the team has written and distributed more than 200 media releases and responded to more than 150 media enquiries and organised media opportunities for events including the opening of the Bathurst Animal Rehoming Centre, the Centennial Park upgrades, the methane project at the Bathurst Waste Management Centre, the Ninja exercise equipment and more.

Supporting Council teams with the development and delivery of community engagement activities.

Mayoral/Councillor speeches and briefing notes for a range of events, activities and functions.

Mayoral column for the BRC website.

Management of the Community Diary radio ads for 2BS/B-Rock and 2MCE.

Project based work including delivery of the Community Survey and the Community Engagement Strategy.

Management and oversight of Council's external facing digital platforms. The team directly administers the BRC corporate website, YourSay Bathurst, Facebook, Instagram,

Twitter, YouTube and LinkedIn platforms. This includes content creation, monitoring and moderating these platforms. The team provides support to other teams across Council to administer and operate a range of digital platforms that support various facilities and functions across the organisation.

In 2024 this has also included the development and introduction of the community social media guidelines for our Facebook pages to help make our online platforms a safer place for our followers and social media administrators. The guidelines allow teams to delete and block followers who fail to comply to the expected standards of behaviour on our pages.

The BRC Corporate website, along with the Bathurst Library, Bathurst Winter Festival, BRC Staff Intranet and BRC Councillor Portal were all redeveloped in 2023 in a project led by the Corporate Communications team. These websites now use the Open Cities content management system.

Website statistics

(for the sites using the Open Cities platform) as at 28 November

Website	Active Users	Views	Most visited page
BRC Corporate	180,037	681,364	Animals for Adoption
Bathurst Library	17,385	82,866	Home page
Bathurst Winter Festival	70,868	237,672	Home Page

Council also has other facility specific websites including:

- Museums Bathurst
- Bathurst Memorial Entertainment Centre
- Bathurst Regional Art Gallery
- Bathurst Region Live Invest
- Bathurst Region Tourism

Included in the redevelopment of the corporate site has been a project to digitise a number of the forms on the website and to introduce online payments. The online forms and payments project was launched in March this year. To date almost 70 forms have been digitised and more than \$200,000 has been received via online payments, providing the community with a 24/7 option for interacting with Council.

The Corporate Communications team has also been responsible for the training and upskilling of staff across the organisation in the new website content management system and the Open Forms package.

YourSay Bathurst

In 2024, up until 28 November the YourSay Bathurst website had:

- 27,628 visits
- 1,265 contributions, and
- 201 new registrations

A wide variety of projects have been published on the YourSay Bathurst site throughout the year to seek views from the community, from surveys gathering feedback on the Winter Festival and NRL, to the Tree Preservation policy review, the Heritage Plan and the Community Strategic Plan visioning survey.

The audience for Council's digital platforms continues to grow year on year, increasing the number of community members who are able to keep up to date with Council's projects, events, facilities and decisions. The Corporate Communications team provides training and support to social media administrators across the organisation.

Facebook followers

as at 26 November:

BRC corporate	20,691
Bathurst Regional Art Gallery	4,929
BRC Events	14,074
Bathurst Winter Festival	4,540
Bathurst Memorial Entertainment Centre	5,663
Bathurst Library	4,935
Visit Bathurst	20,810
Bathurst Business Hub	3,643
Mount Panorama	55,350
Sustainable Bathurst	1,963
Australian Fossil & Mineral Museum	3,241
Bathurst Children's Services	1,927
Bathurst Sea of Sound	2,687
Bathurst Rail Museum	2,759
Chifley Home	249
National Motor Racing Museum	41,138
TOTAL FOLLOWERS	188,594

Instagram followers

as at 26 November:

BRC Corporate	4,040
Bathurst Winter Festival	4,202
Bathurst Memorial Entertainment Centre	1,284
Visit Bathurst	6,585
Bathurst Sea of Sound	1,046
Bathurst Regional Art Gallery	5,816
Museums Bathurst	1,331
Bathurst Youth	285
TOTAL FOLLOWERS	24,589

LinkedIn followers

as at 26 November:

BRC Corporate	2,997
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X (formerly Twitter) followers

as at 26 November:

BRC Corporate	1,714
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New initiatives:

Several new initiatives were launched in November 2024.

The first is a monthly e-newsletter. The newsletter provides a snapshot of content created by the team in the previous four weeks plus coming events and activities. A subscribe now feature has been added to the BRC website for people interested in signing up to the newsletter. In the first four weeks there were almost 300 subscribers to the newsletter. The second new project is the introduction of a Council meeting summary of key decisions. This summary is issued as a media release and also made available via our digital platforms to increase awareness of decisions being made by Council.

Internal communications:

The Corporate Communications team also provides a range of internal communications services to the organisation. These include, but are not limited to, the Council intranet, the Councillor portal, the weekly staff newsletter, providing media advice and support, providing community engagement advice and support.

CONCLUSION:

The Corporate Communication team continues to deliver a range and variety of communication and engagement activities to support the operations of Bathurst Regional Council as detailed in the report.

FINANCIAL IMPLICATIONS:

Nil

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 6: Community leadership and collaboration.

Strategy 6.1 Communicate and engage with the community, government and business groups on important matters affecting the Bathurst region.

COMMUNITY ENGAGEMENT:

01 **Inform** - to provide the public with balanced and objective information to help them understand the problem, alternatives, opportunities and/or solutions.

ATTACHMENTS:

Nil

MINUTE

RESOLUTION NUMBER: ORD2024-338

MOVED: Cr N Cranston SECONDED: Cr E West

RESOLVED:

That the report be noted.

8.2 DIRECTOR ENVIRONMENTAL PLANNING AND BUILDING SERVICES REPORT

8.2.1 SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

File No: 03.00053

RECOMMENDATION:

That the information be noted.

REPORT:

Section 4.15 of the Environmental Planning and Assessment Act 1979 is provided below to assist Council in the assessment of Development Applications.

4.15 Evaluation (cf previous s 79C)

- (1) **Matters for consideration—general** In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application—
 - (a) the provisions of—
 - (i) any environmental planning instrument, and
 - (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and
 - (iii) any development control plan, and
 - (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and
 - (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),
 - (v) (Repealed)that apply to the land to which the development application relates,
 - (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
 - (c) the suitability of the site for the development,
 - (d) any submissions made in accordance with this Act or the regulations,
 - (e) the public interest.
- (2) **Compliance with non-discretionary development standards—development other than complying development** If an environmental planning instrument or a regulation contains non-discretionary development standards and development, not being complying development, the subject of a development application complies with those standards, the consent authority—

- (a) is not entitled to take those standards into further consideration in determining the development application, and
- (b) must not refuse the application on the ground that the development does not comply with those standards, and
- (c) must not impose a condition of consent that has the same, or substantially the same, effect as those standards but is more onerous than those standards,

and the discretion of the consent authority under this section and section 4.16 is limited accordingly.

- (3) If an environmental planning instrument or a regulation contains non-discretionary development standards and development the subject of a development application does not comply with those standards—
 - (a) subsection (2) does not apply and the discretion of the consent authority under this section and section 4.16 is not limited as referred to in that subsection, and
 - (b) a provision of an environmental planning instrument that allows flexibility in the application of a development standard may be applied to the non-discretionary development standard.

Note—

The application of non-discretionary development standards to complying development is dealt with in section 4.28(3) and (4).

- (3A) **Development control plans** If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority—
 - (a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and
 - (b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and
 - (c) may consider those provisions only in connection with the assessment of that development application.

In this subsection, **standards** include performance criteria.

- (4) **Consent where an accreditation is in force** A consent authority must not refuse to grant consent to development on the ground that any building product or system relating to the development does not comply with a requirement of the *Building Code of Australia* if the building product or system is accredited in respect of that requirement in accordance with the regulations.
- (5) A consent authority and an employee of a consent authority do not incur any liability as a consequence of acting in accordance with subsection (4).
- (6) **Definitions** In this section—

- (a) reference to development extends to include a reference to the building, work, use or land proposed to be erected, carried out, undertaken or subdivided, respectively, pursuant to the grant of consent to a development application, and
- (b) ***non-discretionary development standards*** means development standards that are identified in an environmental planning instrument or a regulation as non-discretionary development standards.

FINANCIAL IMPLICATIONS:

Nil

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 6: Community leadership and collaboration.

Strategy 6.4 Meet legislative and compliance requirements.

COMMUNITY ENGAGEMENT:

01 **Inform** - to provide the public with balanced and objective information to help them understand the problem, alternatives, opportunities and/or solutions.

ATTACHMENTS:

Nil

MINUTE

RESOLUTION NUMBER: ORD2024-339

MOVED: Cr W Aubin SECONDED: Cr J Underwood

RESOLVED:

That the information be noted.

8.2.2 GENERAL REPORT

File No: 03.00053

RECOMMENDATION:

That the information be noted.

REPORT:

The following reports are provided for Council's information.

- (a) Applications approved using authority delegated to the Director Environmental, Planning & Building Services during November 2024 (**Attachment 1**).
- (b) Applications refused during November 2024 (**Attachment 2**).
- (c) Applications under assessment as at the date of compilation of this report (**Attachment 3**).
- (d) Applications pending determination for greater than 40 days as at the date of compilation of this report (**Attachment 4**).
- (e) Applications with variations to development standards under Clause 4.6 of Bathurst Regional LEP 2014 approved in November 2024 (**Attachment 5**).
- (f) No political disclosure statements have been received in relation to any "planning applications" being considered at this meeting.

FINANCIAL IMPLICATIONS:

Nil

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 4: Sustainable and balanced growth.

Strategy 4.6 Plan for, assess and regulate development activity.

Objective 6: Community leadership and collaboration.

Strategy 6.4 Meet legislative and compliance requirements.

COMMUNITY ENGAGEMENT:

01 **Inform** - to provide the public with balanced and objective information to help them understand the problem, alternatives, opportunities and/or solutions.

ATTACHMENTS:

1. DAs approved [8.2.2.1 - 2 pages]
2. DAs refused [8.2.2.2 - 1 page]
3. DAs pending [8.2.2.3 - 2 pages]
4. Over 40 days [8.2.2.4 - 1 page]
5. Variations [8.2.2.5 - 1 page]

Cr N Packham declared a pecuniary interest in item 8.2.2 of the DEPBS Report and left the room.

REASON: DA's pending list and DA's approved list include a development at 239 Lawrence Drove, Kelso. They are Vivability Ltd developments of which Cr Packham is CEO.

MINUTE

RESOLUTION NUMBER: ORD2024-340

MOVED: Cr W Aubin SECONDED: Cr J Underwood

RESOLVED:

That the information be noted.

8.2.3

BATHURST REGION ACTIVE TRANSPORT STRATEGY

FILE NO: 20.00357

RECOMMENDATION:

That Council:

- a) note the report; and
- b)
- c) remove the Bicycle Users Group Working Party from its list of Committees; and
- d)
- e) establish the Bathurst Region Active Transport Strategy Community Consultative Committee, as proposed in this report, and appoint Councillors West and Cranston as the delegates to that Committee.

REPORT:

Council has been successful in receiving a grant under the NSW Get Active program (Transport for NSW) for the development of the Bathurst Region Active Transport Strategy (BRATS). This report provides an update on this project.

What is Bathurst Region Active Transport Strategy (BRATS)?

BRATS will build on the Bathurst Community Access and Cycling Plan 2011 (2011 Plan) which has guided the provision of active transport infrastructure over the last decade. Implementation of the 2011 Plan has seen, amongst a range of ongoing planning and new infrastructure, the construction of new footpaths and off-road shared paths, production of a cycling map, construction of rider education infrastructure and changes to engineering standards to support wider footpath construction. BRATS will add value to the 2011 Plan and guide Council and the Bathurst community over the next decade.

BRATS is intended to be the primary guiding document for prioritising actions to enable the planning and construction of the active transport network (footpaths, shared paths, cycleways and associated infrastructure) into the next decade.

The objectives of BRATS are to:

1. identify opportunities to improve active transport in the Bathurst region;
2. provide a focus on the connection of new urban release areas to the existing city footprint and particularly into and out of the Bathurst CBD;
3. support the implementation of the new Transport for NSW (TfNSW) Design of Roads and Streets (DORAS) guidelines within the Bathurst Region;
4. establish priorities, actions and costings for delivery of the network and associated infrastructure; and
5. establish the strategic pathway of future priorities and actions.

Active transport is transport that is human powered, such as walking, cycling or using a wheelchair, scooter and the like. The active transport network is also used by micro mobility users (e.g. electric scooters, wheelchairs and skateboards).

Why should Council prepare a new Active Transport Strategy?

Planning Priority 3 of the Bathurst Region Local Strategic Planning Statement (LSPS) seeks to connect the Bathurst Region. The LSPS notes that the Bathurst Community Access and Cycle Plan (2011) proposes an integrated shared pathway network throughout the City, linked to public open space, schools, shops, community facilities and public transport. Council has over 120 km of existing footpaths and cycleways and is continuing to deliver, in conjunction with developers, over \$16 million of improved pathways.

The LSPS identifies the need to review the 2011 Plan including consideration of:

- More and wider pathways post-COVID-19.
- More footpaths within residential subdivisions.
- The provision of cycle lanes on transport and tourist routes.
- The reservation of land to secure corridor protection for new transport improvements.
- Master planning of greenfield subdivisions to ensure contemporary public and private transport and active transport connections to open spaces and community services.
- The promotion of active transport to support the community to be less reliant on cars.

A review of the Plan is supported by community sentiment to improve active transport in the Bathurst Region led by community groups including the Bathurst Regional Access Committee (BRAC) and Cyclesafe Bathurst.

Transport for NSW has released new Guidelines *Design of Roads and Streets (DORAS)*. Whilst DORAS has been released as guidelines, it is the intention of TfNSW to implement them as standards within the next few years. The implementation of DORAS will alter the way Council designs new streets and how active transport infrastructure should be provided. It will therefore be important for the BRATS to identify appropriate opportunities from DORAS for the active transport network.

What is the Project Plan for the development of BRATS?

Transport for NSW have approved a grant for the following approved scope of works.

To undertake a major review of the Bathurst Community Access and Cycling Plan 2011 to develop a new Bathurst Region Active Transport Strategy (BRATS) with particular focus on the connection of new urban release areas to the existing city footprint that were not considered in the 2011 Plan.

The table below outlines the key steps in the process and where we are currently up to.

KEY STEPS	COMMENTS	STATUS
Inception		
Acceptance of Grant, Inception with TfNSW and Establishment of Council steering Committee.	Project commencement	Completed

KEY STEPS	COMMENTS	STATUS
Design of Roads & Streets (DORAS) – Considerations for Active Transport		
<p>Council is developing a Policy Implementation Plan to identify the road typologies and draft standards appropriate for Bathurst under the new guidelines inclusive of the active transport requirements.</p> <p>Council policy/s will consider greenfield sites and how improvements might then be achieved in brownfield locations.</p>	<p>Transport for NSW has released new Guidelines Design of Roads and Streets (DORAS) which describe 22 different road typologies and provides guidance on how different roads and streets in NSW should be designed to serve users within their context.</p> <p>Whilst DORAS has been released as guidelines it is the intention of TfNSW to implement them as standards within the next few years.</p> <p>The guidelines promote street design so that no matter where we live, streets are accessible to all of us, to give people more options to move around safely and enjoyably where streets belong to every person who walks, rides, and drives.</p> <p>The implementation of DORAS will alter the way Council designs new streets, how it retrofits changes to improve existing street environments, inclusive of speed limit changes.</p>	<p>Underway</p> <p>Draft internal report prepared and being refined with feedback from TfNSW.</p> <p>The Active Transport Strategy will review the proposed standards and provide further advice to Council.</p>
AUDIT OF 2011 Bathurst Community Access and Cycling Plan		
<p>Audit of completed works under the 2011 Plan.</p>	<p>The Bathurst Community Access and Cycling Plan 2011 (2011 Plan) has guided the provision of active transport infrastructure over the last decade. Implementation of the 2011 Plan has seen, amongst a range of ongoing planning and new infrastructure, the construction of new footpaths and off-road shared paths, production of a cycling map, construction of rider education infrastructure and changes to engineering standards to support wider footpath construction.</p>	<p>Completed</p> <p>Audit will inform development of BRATS.</p>
Engage with Community		
<p>Establish a BRATS Community Consultative Committee to support the development of BRATS</p>	<p>There are a range of community groups who will be interested in and who can contribute to the development of BRATS.</p> <p>The role of the BRATS Community Consultative Committee will be to:</p> <ul style="list-style-type: none"> • Provide community perspective, advice and guidance to Council on matters relating to the development of the BRATS. • Be involved in all community engagement activities relating to the development of the BRATS. • Be a conduit of information between the Consultative Committee and 	<p>Ongoing</p> <p>Council staff have held preliminary meetings with Bathurst Regional Access Committee and Cyclesafe Bathurst.</p> <p>A consultative committee will be formed for the duration of the development of BRATS.</p>

KEY STEPS	COMMENTS	STATUS
	<ul style="list-style-type: none"> broader members of the community that the groups represent. 	
Project Brief and Engagement of Consultants		
Develop consultants brief for preparation of the BRATS, call quotations and engage consultant.	The consultants brief will detail the full scope of works for the development of BRATS.	Underway.
Preparation Of BRATS		
Plan prepared by consultants under guidance by Council's project team and with community input through the consultative group	<ul style="list-style-type: none"> Preparation of draft BRATS report Ongoing community engagement throughout. Formal Exhibition of draft BRATS report. Consideration of adoption of final BRATS by Council. 	Exhibition of draft plan expected in early 2026. Adoption of final BRATS expected by April 2026.

BRATS Community Consultative Committee

It is recommended the membership of the Community Consultative Committee would include representations from groups such as:

- Bathurst Regional Access Committee
- Cyclesafe Bathurst
- Bathurst Business Chamber
- Tourism industry
- Education sector

Relevant terms of reference will be prepared, and meeting schedules managed and chaired by Council's Environmental Planning and Building Services Department. The Committee would meet regularly for the duration of the time it takes to prepare the BRATS.

Council has delegates to the Bicycle Facilities Working Party with Councillors West and Cranston recently elected as the new Council delegates. A review of this working party reveals that it has not met since 2012 after the adoption of the 2011 plan. It is therefore recommended that Council remove the Bicycle Users Group Working Party from its list of Committees and appoint Councillors West and Cranston as the delegates to the new BRATS Consultative Committee.

CONCLUSION:

Council has been successful in receiving a grant under the NSW Get Active program (Transport for NSW) for the development of the Bathurst Region Active Transport Strategy (BRATS).

BRATS will build on the Bathurst Community Access and Cycling Plan 2011 (2011 Plan) which has guided the provision of active transport infrastructure over the last decade. BRATS will add value to the 2011 Plan and is intended to be the primary guiding document for prioritising actions to enable the planning and construction of the active

transport network (footpaths, shared paths, cycleways and associated infrastructure) into the next decade.

The preparation of BRATS is supported by Council's Local Strategic Planning Statement and has attracted support from key community stakeholders.

There are a range of community groups who will be interested in and who can contribute to the development of BRATS.

It is proposed to establish the BRATS Community Consultative Committee to:

- Provide community perspective, advice and guidance to Council on matters relating to the development of the BRATS.
- Be involved in all community engagement activities relating to the development of the BRATS.
- Be a conduit of information between the Consultative Committee and broader members of the community that the groups represent.

FINANCIAL IMPLICATIONS:

BRATS is being funded by a \$100,000 grant from the NSW Government under the NSW Get Active Program. Council's contribution to the cost of BRATS will be funded within existing Council budgets.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 2: A smart and vibrant economy.

Strategy 2.4 Promote our City and Villages as an attractive place to live.

Objective 4: Sustainable and balanced growth.

Strategy 4.1 Facilitate development in the region that considers the current and future needs of our community.

Strategy 4.2 Provide safe and efficient road, cycleway and pathway networks to improve accessibility.

Strategy 4.3 Ensure services, facilities and infrastructure meet the changing needs of our region.

Strategy 4.6 Plan for, assess and regulate development activity.

Objective 5: Community health, safety and well being.

Strategy 5.1 Provide opportunities for our community to be healthy and active.

Strategy 5.2 Help make the Bathurst CBD, neighbourhoods and the region's villages attractive and full of life.

Strategy 5.4 Make our public places safe and welcoming.

Strategy 5.5 Plan and respond to demographic changes in the community.

Objective 6: Community leadership and collaboration.

Strategy 6.1 Communicate and engage with the community, government and business groups on important matters affecting the Bathurst region.

COMMUNITY ENGAGEMENT:

01 **Inform** - to provide the public with balanced and objective information to help them understand the problem, alternatives, opportunities and/or solutions.

ATTACHMENTS:

Nil

MINUTE

RESOLUTION NUMBER: ORD2024-341

MOVED: Cr E West SECONDED: Cr N Cranston

RESOLVED:

That Council:

- a) note the report; and
- b) remove the Bicycle Users Group Working Party from its list of Committees; and
- c) establish the Bathurst Region Active Transport Strategy Community Consultative Committee, as proposed in this report, and appoint Councillors West and Cranston as the delegates to that Committee.

8.2.4 STREETS AS SHARED SPACES - LANDSCAPE AND PUBLIC ART INSTALLATIONS - MACHATTIE LANE AND STREET TREES IN POTS IN WILLIAM AND GEORGE STREETS

FILE NO: 16.00181

RECOMMENDATION:

That Council:

- a) decommissions the temporary installations and landscaping in Machattie Lane and the CBD trees in tree pots in William and George Streets, as outlined in this report; and
 - b)
 - c) prior to the commencement of the decommissioning, undertake a public information campaign to explain the reasons for and outcomes of the decommissioning process.
-

REPORT:

This report outlines the decommissioning process for the landscape and public art installation located in Machattie Lane, as well as the street trees located in pots along William Street and George Street. It provides an overview of the project's history, an evaluation of its current condition and the rationale for decommissioning.

BACKGROUND

Machattie Lane

The landscape and public art installation in Machattie Lane was funded by the *Streets as Shared Spaces Round 2* initiative of the NSW State Government. Commissioned by Bathurst Regional Council in late 2022, the project aimed to:

- Temporarily improve public spaces,
- Foster social interaction, and
- Enhance the Bathurst community's sense of identity and character.

Features of the Installation

The installation included:

- **Artworks:** Lightwell drum artworks.
- **Landscaping:** Coir log landscape beds, tree boxes, a pond, sandstone and granite logs, granite mini-boulders, and aluminium seating.

The project was designed as a temporary, two-year installation to contribute to urban beautification and public space enhancement. It revitalised a previously neglected laneway, creating a welcoming and engaging atmosphere.

Achievements

- **Community Engagement:** The installation provided educational opportunities, benefiting the nearby Elisabeth Chifley Preschool, who wrote a letter of appreciation.
- **Environmental Impact:** The inclusion of native plantings was praised for improving urban air quality and promoting biodiversity.

Public Reception

Despite its successes, the project sparked polarised opinions:

- **Positive Feedback:** Many appreciated transforming the space into a lively and visually engaging environment.
- **Criticism:** Some community members criticised the temporary aesthetic, the emphasis on native plants, and aspects of the artwork.

The negative feedback was particularly disheartening for the local artists and the project team. However, it provided valuable lessons including the recommendation that future projects incorporate public information campaigns alongside their launch.

More recently at the 2024 Keep Australia Beautiful NSW Tidy Towns Sustainability Awards, Council was awarded a highly commended in the Liveable Towns Award category for the Machattie Lane Ecological Greenspace.

Street Trees in Pots

As part of the *Streets as Shared Spaces Round 1* funding, Bathurst Regional Council installed street trees in pots in June 2021 for a 12-month trial. The initiative sought to demonstrate the potential for greening and shading the Bathurst CBD with urban tree plantings.

Community Feedback

The trial received significant support from the community, highlighting the public's desire for more greenery in the town centre.

Future Prospects

In April 2023, a report was submitted to the Council that outlined the results of the community survey to provide feedback on the trees in the CBD and requesting additional funding to explore the permanent planting of trees in the town centre. A copy of that report is provided at **Attachment 1**.

That report identified the opportunity to prepare a detailed design and cost estimate for incorporating permanent tree plantings within the CBD. The report suggested an allocation of \$65,000 to prepare the detailed design. In the absence of the design plan, it is broadly estimated that it might cost at least \$10,000 per tree for permanent plantings depending upon the below surface drainage and tree root control system put in place.

Due to financial constraints, this initiative has not proceeded and is unlikely to proceed in the near future.

Notwithstanding, other work currently being commissioned, such as the Active Transport Strategy, and other future development proposals within the CBD, might identify new opportunities for greening/shading (including artificial shading options) as part of interventions to enhance the pedestrianisation of the CBD environment.

RATIONALE FOR DECOMMISSIONING

The recommendation to decommission the Machattie Lane installation and the street trees in pots is informed by several factors:

1. Maintenance Challenges

- The **Machattie Lane installation** was designed with a lifespan of two years. As this timeframe has now elapsed, the artworks and landscaping are expected to deteriorate further. Additionally, sporadic instances of vandalism and ongoing maintenance requirements contribute to rising costs.
- The **street trees in pots**, while largely intact, have sustained some damage and require regular maintenance, including watering and the removal of rubbish.

2. Safety Concerns

- **Machattie Lane:** Structural and material degradation increases the risk of hazards, such as garden materials encroaching on the walking surface and creating slip hazards.
- **Street tree pots:** There are no significant safety concerns associated with the street tree pots.

3. Relevance

- **Machattie Lane:** The installation was commissioned as a temporary measure with a clear two-year lifespan. Its purpose has been fulfilled.
- **Street tree pots:** These were installed for a 12-month trial to promote community acceptance of tree planting in the CBD. While community support for greening initiatives remains strong, the trial period has ended, and the Council's current financial position precludes permanent tree planting in the town centre at this time.

DECOMMISSIONING PROCESS

The estimated cost of decommissioning is \$30,000. A decommissioning plan is detailed in **Attachment 2**, which breaks down allowances by element.

Stakeholder Consultation:

- Consultations have been held with the artist(s), contractors and internally with Council staff.
- Feedback was collected regarding potential alternative repurposing and relocation.
- It is recommended that the broader community be advised of the relocation and removals through a communication piece before the decommissioning occurs.

Documentation:

- Comprehensive photographic records of the installation have been created for archival purposes.

Removal and Disposal:

- **Artworks:** artworks will be returned to the Artist as per contract.

- **Landscaping Elements:** Landscaping materials and plants will be reused by Council in various parks and reserves as needed. The seats will be donated to local schools.
- **Waste Management:** Materials unsuitable for reuse will be disposed of in accordance with environmental regulations.

Site Restoration:

- The sites will be restored to pre-installation states.

OUTCOMES

The decommissioning is expected to be complete by the end 2025, depending on budget allocations. Key outcomes will include:

- Safe removal of all installation components.
- The decommissioning of all elements and the repurposing of elements where possible.
- Restoration of Machattie Lane for potential future developments.

It should be noted that there is no specific budget allocation for the decommissioning. It is proposed to utilise the existing budget allocated to the ongoing maintenance of these landscape elements within the current 2024/25 and future 2025/26 operational plans. This will mean that decommissioning will take some time and may have short term impacts on the aesthetic of Machattie Lane.

LESSONS LEARNED

The project highlights the need for:

- Future projects to incorporate better public information campaigns alongside their launch.
- Installation budgets for temporary elements to consider and incorporate annual maintenance and decommissioning costs.

Whilst the project received mixed commentary from within the community, this is perhaps a sign of its success in that it motivated the community to consider how public spaces within the CBD could be enhanced. This was the intent of the NSW Streets of Shared Spaces program – to trial and showcase opportunities for changes in public spaces.

FINANCIAL IMPLICATIONS:

Installation of these elements into the CBD was funded under the NSW Streets as Shared Spaces Round 1 and 2 funding programs.

In the absence of a specific decommissioning budget, costs will be covered by the current maintenance budget for this project within the current 2024/25 and future 2025/26 budgets. This will delay and lengthen the decommissioning timeframe.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 1: Our sense of place and identity.

Strategy 1.5 Promote good design in the built environment.

Objective 5: Community health, safety and well being.

- Strategy 5.2 Help make the Bathurst CBD, neighbourhoods and the region's villages attractive and full of life.
- Strategy 5.4 Make our public places safe and welcoming.

Objective 6: Community leadership and collaboration.

- Strategy 6.1 Communicate and engage with the community, government and business groups on important matters affecting the Bathurst region.

COMMUNITY ENGAGEMENT:

01 **Inform** - to provide the public with balanced and objective information to help them understand the problem, alternatives, opportunities and/or solutions.

ATTACHMENTS:

1. 19 April 2023 Council Report and Minute [8.2.4.1 - 9 pages]
2. Decommissioning Plan [8.2.4.2 - 2 pages]

MINUTE

RESOLUTION NUMBER: ORD2024-342

MOVED: Cr W Aubin SECONDED: Cr S Wright

RESOLVED:

That Council:

- a) decommissions the temporary installations and landscaping in Machattie Lane and the CBD trees in tree pots in William and George Streets, as outlined in this report; and
- b) prior to the commencement of the decommissioning, undertake a public information campaign to explain the reasons for and outcomes of the decommissioning process.

8.2.5

BATHURST AIRPORT MASTER PLAN

FILE NO: 37.00850

RECOMMENDATION:

That Council adopt the Airport Master Plan as presented in this report.

SUMMARY:

The current Airport Master Plan was adopted by Council in 2013, with the plan focussing on land development to the southern end of the Airport precinct.

In 2024 Arup Australia Pty Ltd were engaged to prepare a new Master Plan to focus on land development in the northern area of the precinct.

REPORT:

The 2024 Master Plan is a planning document which recommends the future direction of development of the Airport for the next 10 years. It provides guidance on the likely infrastructure and funding requirements required to ensure that the Airport will remain functional, service the needs of the aviation community, and provide new opportunities with the opening of the Nancy-Bird Walton Airport (Western Sydney Airport) in late 2026, whilst acknowledging a shift away from regular air passenger services.

The report was prepared in consultation with Council operational and senior staff as well as face-to-face consultation sessions with existing leaseholders at the Airport in June and November 2024.

The 2024 Master Plan is provided at [Attachment 1](#).

CONCLUSION:

The completion of the Master Plan allows for infrastructure design plans to be prepared for future development opportunities in the Airport precinct and to support Council applications for grant funding as opportunities arise.

FINANCIAL IMPLICATIONS:

Nil at this stage, with the costs of preparing the Master Plan contained in existing budgets. However, staged delivery of the infrastructure proposed in the Master Plan is at significant cost and will require consideration in future Council budgets, grant applications and partnerships with developers.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 2: A smart and vibrant economy.

Strategy 2.1 Support local business and industry.

Strategy 2.2 Grow local employment, investment and attract new businesses skills by nurturing and supporting entrepreneurs, partnerships and local skill development.

Objective 4: Sustainable and balanced growth.

Strategy 4.1 Facilitate development in the region that considers the current and future needs of our community.

Strategy 4.3 Ensure services, facilities and infrastructure meet the changing needs of our region.

COMMUNITY ENGAGEMENT:

01 **Inform** - to provide the public with balanced and objective information to help them understand the problem, alternatives, opportunities and/or solutions.

ATTACHMENTS:

1. Bathurst Airport - 2024 Master Plan [8.2.5.1 - 59 pages]

MINUTE

RESOLUTION NUMBER: ORD2024-343

MOVED: Cr R Taylor SECONDED: Cr W Aubin

RESOLVED:

That Council adopt the Airport Master Plan as presented in this report.

8.3 DIRECTOR CORPORATE SERVICES AND FINANCE'S REPORT

8.3.1 STATEMENT OF INVESTMENTS

File No: 16.00001

RECOMMENDATION:

That the information be noted.

REPORT:

\$67,300,000 was invested at 30th November 2024 in accordance with Council's investment policies, the Minister's Investment Order dated 12 January 2011, the Local Government Act 1993 and associated regulations. All investments have been reconciled with Council's general ledger and are listed below:

	<u>Rating</u>	<u>Balance</u> \$	<u>Average</u> <u>Return</u>
<u>Short Term 1 – 365 Days</u> (comprising Commercial Bills, Term Deposits, Debentures and Certificates of Deposits):			
National Australia Bank Limited	AA-	19,000,000	5.19%
Suncorp	AA-	10,500,000	5.19%
Westpac	AA-	3,000,000	4.97%
Bank of Queensland Limited	A-	7,500,000	5.18%
Maritime, Mining & Power Credit Union Ltd	ADI	6,500,000	5.33%
		46,500,000	5.19%

Long Term > 365 Days
(comprising Commercial Bills, Term Deposits, Debentures and Bonds):

Floating Rate Term Deposits

Westpac Coupon Select 2 (6/9/2027)	AA-	1,500,000	5.25%
Westpac Fixed Term deposit (10/6/2026)	AA-	1,500,000	1.25%
		3,000,000	3.25%

Floating Rate Notes

CBA Green	AA-	1,500,000	4.84%
National Australia Bank 1	AA-	1,200,000	4.83%
National Australia Bank 2	AA-	1,000,000	5.33%
National Australia Bank 3	AA-	1,200,000	5.33%
HSBC Sydney 1	AA-	1,500,000	5.45%
Westpac	AA-	1,000,000	5.47%
Suncorp Metway Ltd 1	AA-	500,000	4.87%
Suncorp Metway Ltd 2	AA-	1,550,000	4.90%
Suncorp Metway Ltd 3	AA-	500,000	5.35%
Macquarie Bank 2	A+	1,500,000	4.89%

Macquarie Bank 3	A+	800,000	5.27%
UBS AG Australian	A+	650,000	5.26%
Sumitomo Mitsui Banking Corp	A	1,000,000	5.54%
ING Bank	A	500,000	5.38%
Bendigo & Adelaide Ltd 4	A-	900,000	4.87%
Bendigo & Adelaide Ltd 5	A-	500,000	5.57%
AMP	BBB+	1,000,000	5.68%
Auswide Bank	BBB	1,000,000	5.92%
		17,800,000	5.23%

Total Investments		\$67,300,000	5.12%
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These funds were held as follows:

Reserves Total (includes unexpended loan funds)	12,032,594
Grants held for specific purposes	3,558,279
Section 7.11 Funds held for specific purposes	51,709,127
Unrestricted Investments	0

Total Investments	67,300,000
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Total Interest Revenue to 30 November 2024	\$1,401,887.94	5.12%
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A Jones
Responsible Accounting Officer

FINANCIAL IMPLICATIONS:

There are no financial implications resulting from this report.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 6: Community leadership and collaboration.

- | | |
|--------------|----------------------------------------------------------------------------|
| Strategy 6.4 | Meet legislative and compliance requirements. |
| Strategy 6.6 | Manage our money and our assets to be sustainable now and into the future. |

COMMUNITY ENGAGEMENT:

01 **Inform** - to provide the public with balanced and objective information to help them understand the problem, alternatives, opportunities and/or solutions.

ATTACHMENTS:

1. 30 Nov 2024 Investments [8.3.1.1 - 2 pages]

MINUTE

RESOLUTION NUMBER: ORD2024-344

MOVED: Cr S Wright SECONDED: Cr T Gullifer

RESOLVED:

That the information be noted.

8.3.2

MONTHLY REVIEW - 2024/2028 DELIVERY PLAN AND OPERATIONAL PLAN 2024/2025

File No: 16.00198

RECOMMENDATION:

That the information be noted.

REPORT:

Bathurst Regional Council has in place the Our Region Our Future Community Strategic Plan which aims to inform the community about the major directions and programs Council is undertaking in shaping the future of the Bathurst Region. These directions are summarised as objectives and strategies in the Community Strategic Plan which was adopted by Council on 15 June 2022. The Plan is available for viewing at the council offices at 158 Russell Street or can be downloaded from the Public Documents section of Council's website, www.bathurst.nsw.gov.au/council/plans-policies/community-strategic-plan. A listing of the Objectives and Strategies from the Community Strategic Plan can be found within the Plan commencing from page 18.

At **attachment 1** is an update of Council's progress towards achieving the Strategies and Objectives for the 2024-2028 Delivery Plan and the Annual Operational Plan 2024-2025. The Local Government (General) Regulation 2021 has been amended by inserting clause 413A to make it the duty of the General Manager to give timely information to Councillors about any fines or penalty notices from agencies such as the Australian Taxation Office, the Roads and Maritime Services or the Environment Protection Authority, or where a court or tribunal makes a costs order against a council. Fines or penalty notices this month - Refer to **attachment 1**.

FINANCIAL IMPLICATIONS:

N/A

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 6: Community leadership and collaboration.

Strategy 6.4 Meet legislative and compliance requirements.

COMMUNITY ENGAGEMENT:

01 **Inform** - to provide the public with balanced and objective information to help them understand the problem, alternatives, opportunities and/or solutions.

ATTACHMENTS:

1. Operational Plan Review Nov 2024 [8.3.2.1 - 82 pages]

MINUTE

RESOLUTION NUMBER: ORD2024-345

MOVED: Cr N Cranston SECONDED: Cr E West

RESOLVED:

That the information be noted.

8.3.3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY AND MOUNT PANORAMA FEE SUBSIDY

File No: 18.00004

RECOMMENDATION:

That the information be noted and any additional expenditure be voted.

REPORT:

At **attachment 1** is a list of Sundry Section 356 Donations, Bathurst Memorial Entertainment Centre Community Use Subsidies and Mount Panorama Fee Subsidies granted by Council for the period ending 30 November 2024 including a report on annual Rental Subsidies granted by Council.

FINANCIAL IMPLICATIONS:

Council's Sundry Section 356 Donations and Bathurst Memorial Entertainment Centre Community Use Subsidies and Mount Panorama Fee Subsidies are included in the current budget, which currently have a balance as follows:

Section 356:	\$ 6,835.81 **
BMEC Community use:	\$ 268.29
Mount Panorama:	\$ 28,590.00

** The above amount includes donations already committed but not yet paid. After allowing for the committed donations the remaining balance is \$6,835.81

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 6: Community leadership and collaboration.

Strategy 6.4 Meet legislative and compliance requirements.

COMMUNITY ENGAGEMENT:

01 **Inform** - to provide the public with balanced and objective information to help them understand the problem, alternatives, opportunities and/or solutions.

ATTACHMENTS:

1. 356 Council Report Nov 2024 [8.3.3.1 - 2 pages]

MINUTE

RESOLUTION NUMBER: ORD2024-346

MOVED: Cr R Taylor SECONDED: Cr S Wright

RESOLVED:

That the information be noted and any additional expenditure be voted.

8.3.4 POWER OF ATTORNEY

File No: 11.00007

RECOMMENDATION:

That the information be noted.

REPORT:

Linen Plan Release

Applicant	Subdivision Type	Lot & DP	Address
Mice Eat Cheese Pty Ltd	Three lot rural subdivison	Lot 1, 2, 3 & 4 DP799669 & Lot 3 DP863442	2333 Rockley Road, Rockley & Lot 1 Lagoon Road, Rockley
LV.ESB Pty Ltd	Road Widening	Lot 1 1581 DP803795	Hill End Road, Tambaroora

General Items

Nil

FINANCIAL IMPLICATIONS:

N/A

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 6: Community leadership and collaboration.

Strategy 6.4 Meet legislative and compliance requirements.

COMMUNITY ENGAGEMENT:

01 **Inform** - to provide the public with balanced and objective information to help them understand the problem, alternatives, opportunities and/or solutions.

ATTACHMENTS:

Nil

MINUTE

RESOLUTION NUMBER: ORD2024-347

MOVED: Cr E West SECONDED: Cr W Aubin

RESOLVED:

That the information be noted.

8.3.5

CARRYOVER WORKS

FILE NO: 16.00198

RECOMMENDATION:

That the items as identified on the lists of Revote works as at 30 June 2024 be approved and the Carryover works be noted, and added to the Operational Plan for 2024/2025.

REPORT:

As Council would be aware, for logistical or resource management purposes, various works for which funding was provided in 2023/2024 Operational Plan remained incomplete or in progress as at 30 June 2024.

Clause 211 of the *Local Government (General) Regulation 2021* (the Regulation) requires Council to formally “Re-vote” into the 2024/2025 Budget any 2023/2024 budget works, services, goods, materials & facilities that haven’t been carried out, provided, started or contracted to be carried out or contracted to be provided as at 30 June 2024. At **attachment 1** is a listing of all Revotes to be adopted into the 2024/2025 Operational Plan, including funding sources.

Clause 211 of the *Local Government (General) Regulation 2021* (the Regulation) allows Council to “Carry Forward” into the 2024/2025 Budget any 2023/2024 budget works, services, goods, materials & facilities that have been started or contracted to be carried out or contracted to be provided as at 30 June 2024, without the need for Council approval. At **attachment 2** for Councillors information is a listing of all Carry Forward items to be adopted into the 2024/2025 Operational Plan, including funding sources.

FINANCIAL IMPLICATIONS:

Funds voted in the 2023/2024 Operational Plan will be carried over to cover the votes required to complete these projects.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 6: Community leadership and collaboration.

Strategy 6.6 Manage our money and our assets to be sustainable now and into the future.

COMMUNITY ENGAGEMENT:

01 **Inform** - to provide the public with balanced and objective information to help them understand the problem, alternatives, opportunities and/or solutions.

ATTACHMENTS:

1. Attachment 1 - Revotes 2025 [8.3.5.1 - 1 page]
2. Attachment 2 - Carryovers 2025 [8.3.5.2 - 3 pages]

MINUTE

RESOLUTION NUMBER: ORD2024-348

The following **MOTION** was **MOVED**.

MOVED: Cr J Underwood SECONDED: Cr N Packham

That the items as identified on the lists of Revote works as at 30 June 2024 be approved and the Carryover works be noted, and added to the Operational Plan for 2024/2025.

The following **AMENDMENT** was **MOVED**.

MOVED: Cr S Wright SECONDED: Cr W Aubin

That the items as identified on the lists of Revote works as at 30 June 2024 be approved and the Carryover works be noted, and added to the Operational Plan for 2024/2025 with the following changes:

1. Revote Schedule

Items:

- a) McPhillamy Park CMP - \$50,000
 - b) Aboriginal Cultural Study - \$50,000
- be returned to Council funds.

2. Carry Forward Schedule

Items:

- a) Dhuluny Memorial Gardens project \$113,050
- b) 1824 Martial Law Commemoration \$144,000
- c) Indigenous Groups 1824 Commemoration \$50,000.

Be paused and be referred to a working party for discussion. Further that the Working Party on the Dhuluny Memorial Garden Project engage with representatives of BLALC, WTOCWAC and Young mob.

The **AMENDMENT** was **MOVED** and on being **PUT** to the **VOTE** was **CARRIED**.

The **AMENDMENT** then became the **MOTION**.

On being **PUT** to the **VOTE**, a **DIVISION** was **CALLED** and the **MOTION** was **CARRIED**.

The result of the division was:

In favour of the motion - Cr W Aubin, Cr N Cranston, Cr B Fry, Cr T Gullifer, Cr R Taylor and Cr S Wright

Against the Motion - Cr E West, Cr J Underwood and Cr N Packham

Absent - Nil

Abstain - Nil

8.4 DIRECTOR ENGINEERING SERVICES' REPORT

8.4.1 WATER SUPPLY UPDATE

File No: 32.00017

RECOMMENDATION:

That the information be noted.

REPORT:

This report provides a quarterly update for water storage levels to both Chifley and Winburndale Dams.

As at Monday 2 December 2024, Chifley Dam was at 103.7%, with 31,228ML in storage. Refer to **attachment 1** for a graph of Chifley Dam storage levels. Chifley Dam has been close to capacity or overflowing for over 50 months.

Water release from Chifley Dam outlet pipework is currently 4.35ML/day.

Winburndale Dam was at 100.8% on Monday 2 December 2024, with 1,7014L in storage.

In Bathurst, the estimated residential water usage varies from week to week and whilst it has risen since winter, it remains below the target for Level 5 water restrictions. Over the last 4 weeks, the average estimated water usage for Bathurst is 11.0ML/d, or 144L/per person per day.

FINANCIAL IMPLICATIONS:

Nil

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 3: Environmental stewardship.

- | | |
|--------------|---------------------------------------------------------------------------------------------------|
| Strategy 3.2 | Develop Bathurst as a Smart City. |
| Strategy 3.3 | Minimise the City's environmental footprint, live more sustainably and use resources more wisely. |

Objective 4: Sustainable and balanced growth.

- | | |
|--------------|---------------------------------------------------------------------------------------|
| Strategy 4.3 | Ensure services, facilities and infrastructure meet the changing needs of our region. |
|--------------|---------------------------------------------------------------------------------------|

COMMUNITY ENGAGEMENT:

01 **Inform** - to provide the public with balanced and objective information to help them understand the problem, alternatives, opportunities and/or solutions.

ATTACHMENTS:

1. Chifley Dam Monthly Storage Graph Nov 24 [**8.4.1.1** - 1 page]

MINUTE

RESOLUTION NUMBER: ORD2024-349

MOVED: Cr T Gullifer SECONDED: Cr N Packham

RESOLVED:

That the information be noted.

8.5 DIRECTOR CULTURAL AND COMMUNITY SERVICES' REPORT

8.5.1 NGURANG ARTS RESIDENCY NSW (BARN) PROJECT AND FUTURE DIRECTION

FILE NO: 16.00190, 21.00166

RECOMMENDATION:

That the information be noted.

REPORT:

Background

This project was first conceived in 2009, following a stay at Chifley Dam Cabins by the 'Catapult' Youth Festival which prompted discussion on the future potential of the site for fostering development within the performing arts.

In June 2017, Council adopted a 'Cultural Vision' (DCCS Report #1) which identified the desirability of developing a Performing Arts Residency Space at Chifley Dam (Action 1.2.2) defined as *"constructing a multi-purpose workshop space with on-site group catering facilities for residencies by local, national and international performing arts groups and individuals at the Chifley Dam"*. This facility would then allow the development of a performing arts residency program (Action 3.3.3) To *"provide opportunities for individuals or groups to develop their creative talent"* and to *"build Bathurst's reputation as an inland centre of excellence in the performing arts by hosting a development program of national significance"*.

Between 2019 and 2021, a Next Practice Performing Arts Facilities Framework was developed. In addition to considerations concerning the future of BMEC and performance spaces, this work generated specific details around the function of a performing arts residency space, and included consultation with numerous local arts agencies and groups including ArtsOutWest, Bathurst Theatre Company, Carillon Theatrical Society, Bathurst Eisteddfod, Mitchell Conservatorium of Music, CSU Creative Arts, Bathurst Academy of Dance, JL Dance Studio, Promenade, PIPA, Drama Llamas and Beloved Monster.

In 2022 Council prepared an application for the Creative Capital 'Medium to Large Projects' program for a project titled the Bathurst Arts Residency NSW (BARN), being successful in receiving a grant of \$4.78 million announced on 8 July 2022 and formally reported to Council on 20 July 2022 (DCCS Report #8.5.5).

Prior to commencing the design tender process, a detailed specialist survey was undertaken with arts specialists with 50 responses received. The design brief was refined to encompass this detailed feedback, including the addition of individual accommodation, a breakout room (with consideration of neuro-divergent needs and quiet space) and laundry. Engineering considerations necessitated the moving of the proposed site away from the existing roadway at Chifley Dam, and the addition of a new access and service road section. The design tender process ran from 19 November to 20 December 2022.

The tender was awarded at the Council meeting of 15 February 2023 (DES Confidential Report #10.2.2).

A Working Party was held with Councillors on 5 July 2023 and the Development Application prepared and placed on public exhibition from 11 September to 9 October 2023. This DA was subject to State assessment under Schedule 6 of the SEPP (State Environment Planning Policy), with the Western Region Planning Panel announcing the successful DA determination on 28 November 2023.

Aboriginal Cultural Heritage Assessment was undertaken from February to December 2023 including consultation with all registered Aboriginal parties. During a site visit to Chifley Dam on 2 November 2023, the Wiradjuri name “Ngurang”, meaning “home, camp, place, nest” was proposed as the final operational name for the facility. The name also reflected the potential additional focus on incorporating First Nations cultural elements, providing a further commercial opportunity for activities at the completed facility. This focus also aligns with the REVIVE National Cultural Policy released 30 January 2023. The first pillar of this strategy is:

First Nations First: Recognising and respecting the crucial place of First Nations stories at the centre of Australia's arts and culture

Architectural design work was undertaken by Sibling Architects.

Significant inflationary pressures negatively impacted ability to deliver the project within the original grant allocation. Council therefore submitted an application to the Federal ‘Growing Regions’ Fund in January 2024, with this application announced as unsuccessful in May 2024. A further submission to the second round of the Growing Regions Fund was prepared and submitted in September 2024, being for an additional \$4,194,511. The outcome of this funding application is pending.

Current Situation

Council has spent \$733,295 on the project to date on required specialist consultancies including architects (conceptual and detailed design), Quantity Surveying, Aboriginal Cultural Heritage Assessment, project expenses & project management. The project has an approved DA and is ‘shovel ready’.

A cost benefit analysis was undertaken by Hawkrigde Entertainment Services which indicated that the facility should return a small operating surplus to Council annually, predicted to be \$43,904 in year one.

Council is currently seeking community feedback on the Ngurang Arts Residency (BARN) project to inform future decision making regarding the facility. A survey on Council’s Your Say page was made live on Monday 2 December 2024 and will close on Friday 10 January 2025, after which time the data collected will be collated and presented to Councillors for consideration.

Future Options

Council resolved at the Council meeting of 20 November 2024 (Notice of Motion Cr S Wright #10.3) to seek options for the reallocation of existing grant funding for the Ngurang Arts Residency (BARN) project to alternative eligible community infrastructure or cultural projects that align with Council’s strategic priorities. All potential options were explored with the funding body, Create NSW, at a meeting of the Project Control Group on 28 November 2024. The outcomes of these discussions are reported below.

- It was noted that the outcome of the Growing Regions Round 2 funding was not yet known and is unlikely to be known prior to February 2025.
- It was noted that success in this current funding round would provide sufficient total funding to complete the full scope of the project as planned.
- It was noted that should Bathurst Regional Council be unsuccessful in its application for Growing Regions Round 2 funding then further project delays, to allow sourcing further grant opportunities, would not be entertained by the funding body. Council would subsequently have three options:
 1. To proceed with the project at a reduced scope, to be determined and agreed to between Council and the funding body.
 2. To cease development of the project. This option would require the repayment to the funding body of all grant monies expended on the project to date.
 3. To seek a variation on the project via a written application from Council to the funding body.

Should Council choose to seek a variation to the project funding as per option #3 above, the following guiding principles would be required:

- A location change from the current specified location of Chifley Dam could be considered.
- The variation could be made for the repurposing of an existing structure/facility; however this must be the repurposing or conversion of a structure currently not in use as an arts/cultural facility as the intent of the funding application is to achieve an increase in the total number of arts/cultural facilities in the Bathurst LGA.
- The same activities and deliverables as specified in the original funding application, specifically the residencies tied to a facility, would need to be included and delivered. However, the variation could argue for delivery of these outcomes in a different way to the original application.
- Reallocation of funding to cover maintenance or upgrading of any existing Council cultural facility would not be considered.
- Should Council be successful in pursuing a variation with a project considered appropriate and of equal merit by Create NSW, an extension of time beyond the current project deadline of December 2026 may be considered as there is a precedent for such an extension within the funding program.
- Should a variation be submitted and accepted that moved the project from Chifley Dam, then grant funds expended to date on work specific to this location (architectural designs etc) would be the subject of further discussion with the funding body, though it was noted that there was precedent for such expenditure to be considered as a Council contribution, and thus not require any repayment to the funding body.

Financial and reputational implications

Council further resolved at the Council meeting of 20 November 2024 (Notice of Motion Cr S Wright #10.3) to “assess the financial and reputational implications of pausing the Ngurang project indefinitely”. Main considerations are:

- An indefinite pause on the project was specifically eliminated as an option for consideration by the funding body.
- Given this limitation, Council will need to make a determination based upon the three options provided above, in the event that the application to the Growing Regions Round 2 funding application is unsuccessful.

- Council has spent \$733,295 on the project to date. Should Council decide to discontinue the project then all grant expenditure to date would need to be repaid to the funding body (Create NSW). This would place considerable pressure on existing budgets.

FINANCIAL IMPLICATIONS:

Nil at this stage, future implications as detailed in the report.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 1: Our sense of place and identity.

Strategy 1.3 Enhance the cultural vitality of the region.

Objective 2: A smart and vibrant economy.

Strategy 2.4 Promote our City and Villages as an attractive place to live.

Objective 5: Community health, safety and well being.

Strategy 5.2 Help make the Bathurst CBD, neighbourhoods and the region's villages attractive and full of life.

COMMUNITY ENGAGEMENT:

01 **Inform** - to provide the public with balanced and objective information to help them understand the problem, alternatives, opportunities and/or solutions.

ATTACHMENTS:

Nil

MINUTE

RESOLUTION NUMBER: ORD2024-350

MOVED: Cr J Underwood SECONDED: Cr S Wright

RESOLVED:

That the information be noted.

8.5.2

NSW TOURISM AWARDS 2024 - GOLD AWARDS - VISITOR INFORMATION SERVICING AND LOCAL GOVERNMENT AWARD

FILE NO: 21.00041

RECOMMENDATION:

That the information be noted.

REPORT:

Bathurst Regional Council won Gold in two categories in a record-breaking night at the 2024 NSW Tourism Awards. The Bathurst Visitor Information Centre (BVIC) received the Gold Award in the category of 'Visitor Information Servicing' and Council also won Gold in the 'Local Government Award for Tourism' category.

The Bathurst Heritage Trades Trail was awarded Bronze in the category of 'Festivals and Events' with the Bathurst Winter Festival receiving the coveted 'Tourism Star Judges Choice Award' in the final category of the evening.

The Awards, presented by the NSW Tourism Association in partnership with the NSW Government and Destination NSW, were announced at a ceremony on the evening of Thursday 28 November 2024 at The Star in Sydney in front of an audience of over 550 tourism industry and government representatives from across NSW.

The Tourism Awards, now in their 34th year, are the peak annual tourism industry event and recognise the best tourism and hospitality operators and events from all over NSW with 123 finalists, from over 200 nominations, competing over 30 categories in 2024.

This is the third time that BVIC has taken home the top award, having also won in 2021 and 2023 and received a silver award in 2022. BVIC beat other finalists Albury (Bronze), Central Coast, Cowra, MidCoast Council (Silver) and Narrabri. Bathurst Regional Council achieved the top honour in the 'Local Government Award for Tourism' over fellow finalists City of Newcastle (Silver) and Dubbo Regional Council.

The 'Local Government Award for Tourism' is a reflection on Council's commitment to excellence across all areas, encompassing everything from events, museums, cultural facilities and visitor information services to parks & gardens and the maintenance of the infrastructure used by all visitors that ensures an outstanding first impression.

Judging for the Tourism Awards involves multiple criteria:

- A 10,000-word written submission demonstrating achievements over the qualifying period of 2023/24 across six criteria, evaluated and scored by an independently audited panel of judges who are recognised experts in the field.
- Assessment of organisational and/or event accreditations, policies and procedures, risk management, staffing practice, strategic and marketing planning and initiatives

- An amalgamated score of the businesses/event's online satisfaction ratings utilising the 'ReviewPro' system which draws data from 175 separate review sites and online travel agencies (OTAs).

The judging process is exceptionally strict and based upon minimum standards, with the result that not all entrants become finalists, and that finalists are not guaranteed to receive an award regardless of numbers of entrants. In some categories, including that of 'Local Government Award for Tourism', only a gold or silver was awarded, as the remaining finalists did not score highly enough overall to meet these strict judging criteria.

Success in the NSW Tourism Awards ensures broad media coverage for all finalists, with particular benefit to award winners in every category. It is also important in achieving recognition across the broad tourism industry and within the NSW Government and particularly enhances our relationship with Destination NSW which consequently supports our applications to any future collaborative funding opportunities.

Local tourism businesses also enjoyed outstanding success on the night, with Wilga Station claiming the Silver Award in the 'Unique Accommodation' category, and Hipscotch taking home the Bronze Award in the category of 'Service to Tourism Industry'.

BVIC will now go on as the NSW Winner to compete as a finalist at the Qantas Australian Tourism Awards to be held in Adelaide on 21 March 2025. BVIC has previously achieved a Highly Commended at the 2024 Australian Tourism Awards. The 'Local Government Award for Tourism' is specific to NSW, and there is no national level award for this category.

This is a record achievement for both Council and for Bathurst as a tourism destination.

FINANCIAL IMPLICATIONS:

There are no financial implications resulting from this report.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 1: Our sense of place and identity.

- Strategy 1.1 Respect, protect and promote the region's Indigenous heritage assets.
- Strategy 1.2 Protect, enhance and promote the region's Non-Indigenous heritage assets and character.
- Strategy 1.3 Enhance the cultural vitality of the region.

Objective 2: A smart and vibrant economy.

- Strategy 2.1 Support local business and industry.
- Strategy 2.6 Promote our City and Villages as a tourist destination.

Objective 6: Community leadership and collaboration.

- Strategy 6.1 Communicate and engage with the community, government and business groups on important matters affecting the Bathurst region.
- Strategy 6.5 Be open and fair in our decisions and our dealings with people.

COMMUNITY ENGAGEMENT:

01 **Inform** - to provide the public with balanced and objective information to help them understand the problem, alternatives, opportunities and/or solutions.

ATTACHMENTS:

Nil

MINUTE

RESOLUTION NUMBER: ORD2024-351

MOVED: Cr N Cranston SECONDED: Cr J Underwood

RESOLVED:

That the information be noted.

9 NOTICES OF MOTION

9.1 CR B FRY : CR N PACKHAM - WINDY 1100 SALES AND MARKETING CAMPAIGN

FILE NO: 11.00004

RECOMMENDATION:

That Bathurst Regional Council:

1.
 - a) Release all remaining, registered lots of Windy 1100 land to all interested real estate agents in the region for sale and marketing,
 - b) Establish clear guidelines to ensure transparency, fairness, and accountability in the sales process, including protocols for agent registration and buyer attribution, while retaining Council's ability to sell blocks directly,
 - c) Set the sales commission at 2.5%,
 - d) Construct simple signage at estate entrances stating, "Contact your preferred agent.", and
 - e) Report back to the Council within 60 days on the progress and effectiveness of this approach.
- and
2. Direct the General Manager to reserve Block 169 from the broader sale process for a Council-led promotional campaign known as "BX Block Daily Drop," as articulated in the report.

REPORT:

BX Block Daily Drop

Block 169 has been strategically selected as the centrepiece of a marketing campaign designed to generate interest in the broader portfolio of Council-owned blocks. This block will be offered as part of a limited-time "countback" fire sale campaign, with its price reducing by \$2,000 per day over a 1-month period.

The campaign will commence on 18th December at its listed sale price of \$380,000. The price reductions will be advertised daily on a suitable Bathurst Regional Council's digital channel and is to be frequently mentioned through social and traditional media channels.

If the block remains unsold by 18th January, the price will revert to its original listing of \$380,000 and will be made available for sale through participating agents.

Motion Rationale:

Engaging Local Expertise The local real estate market is best positioned to sell the Windy 1100 lots effectively. Agents operating in Bathurst are intimately familiar with the region, its potential buyers, and the market dynamics. Their established networks and deep understanding of Bathurst's unique selling points make them the most experienced organisations to market and sell these properties. Utilising local agents ensures that the sales process is efficient and targeted, maximising exposure to the right audience.

Moreover, their commitment to the community aligns with Council's broader goals of fostering local prosperity.

Economic Benefits to the CommunityBy offering a competitive commission rate of 2.5%, this initiative not only incentivises agents but also ensures that the benefits of these transactions stay within Bathurst. Commission payments to local businesses directly support the regional economy, enabling agents to reinvest in the community through their operations and employment.

Innovative Marketing StrategyThe inclusion of the "BX Block Daily Drop" campaign for Block 169 demonstrates Bathurst Regional Council's commitment to innovation in the real estate market. This limited-time price reduction strategy creates urgency and excitement, drawing attention to the broader land portfolio.

Block 169's dynamic pricing mechanism will be prominently displayed on the Council's website, ensuring transparency and accessibility. The campaign is expected to garner significant interest, not only for the individual block but also for the remaining lots, as buyers become more aware of the opportunities available at Windy 1100.

Financial and Strategic Value for RatepayersUnsold lots represent a financial liability for Council and, by extension, ratepayers, as they incur holding costs such as maintenance and lost potential revenue. The proposed strategy addresses this challenge head-on by diversifying sales efforts, engaging multiple agents, and stimulating interest through innovative campaigns.

Accelerating sales reduces ongoing costs and generates immediate financial returns, which can be reinvested into community priorities. Moreover, a successful sale of these lots will enhance Bathurst's appeal as a residential and investment destination, further benefiting ratepayers.

MINUTE

RESOLUTION NUMBER: ORD2024-352

MOVED: Cr B Fry SECONDED: Cr N Packham

RESOLVED:

That Bathurst Regional Council:

1.
 - a) Release all remaining, registered lots of Windy 1100 land to all interested real estate agents in the region for sale and marketing,
 - b) Establish clear guidelines to ensure transparency, fairness, and accountability in the sales process, including protocols for agent registration and buyer attribution, while retaining Council's ability to sell blocks directly,
 - c) Set the sales commission at 3.0%,
 - d) Construct simple signage at estate entrances stating, "Contact your preferred agent.", and
 - e) Report back to the Council within 60 days on the progress and effectiveness of this approach.

and
2. Direct the General Manager to reserve Block 169 from the broader sale process for a Council-led promotional campaign known as "BX Block Daily Drop," as articulated in the report.

9.2

CR B FRY - ENSURING REGULAR REPORTING OF CASH AND INVESTMENTS

FILE NO: 11.00004

RECOMMENDATION:

That Bathurst Regional Council:

1. Require the Executive to provide a detailed Cash and Investments Position Report as a standalone item at each Ordinary Meeting of Council, commencing at.

Each report is to include:

- a) A breakdown of unrestricted and externally restricted reserves.
- b) Any changes to the balance of externally restricted reserves, including explanations for variances.
- c) Compliance confirmation with relevant legislative requirements and policies regarding restricted funds.

REPORT:

Effective financial governance is a cornerstone of responsible local government operations. Regular, standalone reporting of the Council's cash and investments position is vital to ensuring compliance with legislation and maintaining public trust in Council's financial management.

Under the Local Government Act 1993 (NSW), councils are required to manage restricted reserves (such as developer contributions or grants) in line with specific conditions. Failure to comply with these restrictions could result in:

- Financial penalties.
- Loss of community confidence.
- Reduced access to future grant funding.

A separate and detailed Cash and Investments Position Report ensures that externally restricted reserves are not inadvertently used for unrelated expenditures and that Council remains compliant with its legal obligations.

Requiring a detailed Cash and Investments Position Report at every Ordinary Meeting reinforces Council's commitment to accountability and compliance. This motion seeks to safeguard Council's financial sustainability, ensure legislative compliance, and maintain the trust of the community.

MINUTE

RESOLUTION NUMBER: ORD2024-353

MOVED: Cr B Fry SECONDED: Cr E West

RESOLVED:

That Bathurst Regional Council:

1. Require the Executive to provide a detailed Cash and Investments Position Report as a standalone item at each Ordinary Meeting of Council, commencing at.
2. The Report be presented with detailed balances at the end of the preceding months.
3. This reporting is to commence at the next Ordinary meeting of Council.

Each report is to include:

- a) A breakdown of unrestricted and externally restricted reserves.
- b) Any changes to the balance of externally restricted reserves, including explanations for variances.
- c) Compliance confirmation with relevant legislative requirements and policies regarding restricted funds.

10 REPORTS OF OTHER COMMITTEES

10.1 TRAFFIC COMMITTEE REPORT - 3 DECEMBER 2024

File No: 07.00006

MINUTE

RESOLUTION NUMBER: ORD2024-354

MOVED: Cr W Aubin SECONDED: Cr N Packham

RESOLVED:

That the recommendations of the Traffic Committee Meeting Minutes of Bathurst Regional Council held on 3 December 2024 be adopted.

11 COUNCILLORS / DELEGATES REPORTS

11.1 MINUTES - BATHURST REGIONAL YOUTH COUNCIL - 11 NOVEMBER 2024

File No: 11.00020

RECOMMENDATION:

That the information be noted.

REPORT:

The Bathurst Regional Youth Council considered a number of items at their meeting held on Monday 11 November 2024, including the following:

- Social Media Discussion
- Youth Council project planning discussion:
 - Whiddon visits.
 - Connect radio segment
 - Christmas event at Miss Trails House
 - Official photos
- Youth Council Initiatives
-
- Youth Week
- Guest Speakers from Bathurst Regional Council:
 - Manager Environment

The minutes of the Bathurst Regional Council Meeting, held Monday 11 November 2024, are attached.

FINANCIAL IMPLICATIONS:

There are no financial implications resulting from this report.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 4: Sustainable and balanced growth.

Strategy 4.1 Facilitate development in the region that considers the current and future needs of our community.

Objective 5: Community health, safety and well being.

Strategy 5.1 Provide opportunities for our community to be healthy and active.
Strategy 5.4 Make our public places safe and welcoming.

Objective 6: Community leadership and collaboration.

Strategy 6.1 Communicate and engage with the community, government and business groups on important matters affecting the Bathurst region.

COMMUNITY ENGAGEMENT:

01 **Inform** - to provide the public with balanced and objective information to help them understand the problem, alternatives, opportunities and/or solutions.

ATTACHMENTS:

1. Youth Council Minutes 11 November 2024 [**11.1.1** - 3 pages]

MINUTE

RESOLUTION NUMBER: ORD2024-355

MOVED: Cr J Underwood SECONDED: Cr T Gullifer

RESOLVED:

That the information be noted.

11.2 DELEGATE REPORT LGNSW 2024 CONFERENCE TAMWORTH NSW - DELEGATE: CR JACKLYN UNDERWOOD

File No: 18.00074

RECOMMENDATION:

That the information be noted.

REPORT:

Index

- 1. Introduction**
- 2. Conference Program Highlights**
- 3. Speakers and Addresses**
- 4. Key Motions**
- 5. Cost-Shifting**
- 6. Reviews**
- 7. Conclusion**

1. Introduction

The Local Government NSW (LGNSW) Annual Conference is a key event for councils across New South Wales, providing a platform for discussion, advocacy, and decision-making. A critical component is the voting process, where member councils nominate delegates to represent their interests on various motions and policies. These decisions shape the organisation's advocacy priorities and support its mission to strengthen local government. For more details on voting procedures and delegate nominations, visit the [LGNSW Conference Voting page](#).

The following report highlights some of the key issues and proposed reforms affecting local governments in New South Wales, including but not limited to planning reforms, financial assistance grants, emergency services funding, councillor conduct, environmental sustainability, early education staffing, and the cemeteries reform. These topics reflect current challenges and opportunities for advocacy and strategic alignment with State and Federal policies. LGNSW updates its policy platform annually to align with resolutions passed at its conferences, ensuring they guide its advocacy priorities effectively.

Bathurst Regional Council sent 3 voting delegates (Cr Jaclyn Underwood, Cr Elaine West, Mayor Cr Robert Taylor) via a unanimous vote by councillors at the October Council meeting. The full business paper is a public document and can be located here: <https://lgnswconference.org.au/motions/>

2. Conference Program Highlights

Day One:

Afternoon sessions include a plenary on local government risks and challenges, featuring experts like Brett Whitworth and Hon. Helen Murrell, and a professional development session for new councillors. Networking continued with the opportunity for Councillors to connect with colleagues around the state. The evening concludes with the President's welcome reception at Tamworth Town Hall.

Day Two:

Day two centres on conference business, with motions being the key focus of the day. Delegates engaged in the adoption of standing orders, motion debates, and discussions shaping advocacy priorities. The day concluded with the LGNSW conference dinner, featuring the LG Service Awards which aim to foster collaboration and recognition of excellence in local government.

Day Three:

Day three focused on strategic insights for councils. Keynote sessions explored local government finance, international lessons, and financial resilience, delivered by Andy Johnston (LGIU). Cybersecurity threats and solutions were addressed by experts from elevenM. Secretary, Department of Planning, Housing and Infrastructure Kiersten Fishburn highlighted collaborative strategies for building thriving communities, followed by Chair of Netball Australia Liz Ellis AO, who concluded the conference with a keynote on achieving success through strategic planning.

3. Ministerial Speakers and Addresses

The LGNSW Annual Conference offers a platform for councils to discuss key local government issues, including cost-shifting and advocacy for sustainable funding. The program featured plenary sessions on planning reforms, local governance challenges, and community initiatives. Ministers gave addresses and delegates heard from Hon. Kevin Anderson (Member for Tamworth Shadow Minister for Tourism, Shadow Minister for Gaming and Racing, and Shadow Minister for the Arts and Heritage) The Hon. Jenny Aitchison (NSW Minister for Regional Roads and Transport) and the Hon. Ron Hoenig (NSW Minister for Local Government, Vice-President of the Executive Council, and Leader of the House) alongside video messages from NSW Premier Chris Minns and Federal Minister for Regional Development Kristy McBain.

4. Key motions

The LGNSW Conference dealt with 111 motions compiled from Councils around the state. The first 12 are considered to be the most pressing and were identified as priority motions. These were presented first in the business paper for early consideration during conference proceedings. They are listed in summary as follows:

Lithgow City Council Natural disasters - Better support for local government

That Local Government NSW requests the Australian and NSW governments make improvements required to better support local government in the context of an operating environment characterised by climate change and an increase in natural disasters.

LGNSW Board Addressing the housing crisis – Greater collaboration on planning reforms

That Local Government NSW and councils across the state: reaffirm their support for actions to address the housing crisis and acknowledge the need for new and more diverse housing in well-located areas across NSW.

Note from LGNSW Board - *The NSW Government's planning reforms have been introduced to meet its commitments for increased housing supply under the National Housing Accord. These reforms, already in place, will have a considerable impact on both metropolitan and regional areas. The Government's Transit-Oriented Development (TOD) program and proposed low and mid-rise housing changes effectively bypass traditional rezoning processes, accelerating significant increases in development capacity across Sydney, the Hunter, and Illawarra regions. Further reforms have been signalled by the NSW Government.*

Murray River Council - Financial Assistance Grants

That Local Government NSW calls on the Federal Government to restore Financial Assistance Grants to 1% of Commonwealth taxation revenue.

The Hills Shire Council - Streamlined management of infrastructure approvals and delivery

That Local Government NSW calls on the NSW Government to improve the efficiency of processes associated with the delivery of critical local infrastructure by Councils. This should include a particular focus on:

1. reducing the time taken to obtain design approval from Transport for NSW and other utility providers;
2. removal of barriers to the efficient and early acquisition of land for a public purpose and streamlining of the compulsory acquisition process for local Councils; and
3. increased scrutiny of service relocation costs required by utility providers.

LGNSW Board - Reform of funding system for NSW emergency services

Note from LGNSW Board - *At present, the funding needed for our emergency services currently comes from insurance policies (73.7 per cent), councils (11.7 per cent) and the State Government (14.6 per cent). The New South Wales (NSW) Government announced its commitment to reform the State's emergency services funding with a key objective of reducing insurance costs. The review will also consider the council contribution. The favoured model involves introducing a broad-based property tax to replace the ESL. Similar systems have been introduced in most other states. Other states have also removed levies on councils as part of their reforms.*

Bega Valley Shire Council - Waste tendering regulation amendments

That Local Government NSW calls on the NSW Government to urgently repeal or adjust the Waste Tendering regulations recently adopted in December 2023 that were intended to protect the employment of private sector waste workers, however limits value for money outcomes in service provision for communities.

LGNSW Board - Councillor Conduct Framework review

That Local Government NSW write to the Minister for Local Government to:

1. Commend the Minister for prioritising the review of the Councillor Conduct Framework, as this is something that LGNSW has long been calling for;
2. Request that the NSW Government consult with the local government sector on the guidelines for the selection and appointment of privileges committee members;

3. Advocate that Privileges Committee members be required to come from the sector (local government experience) and have a limited term; LGNSW Annual Conference 2024 31 Business Paper
4. Advocate that councils retain discretion to hold informal briefings and workshops with councillors as a supporting mechanism to formal meeting and committee structures; and
5. Request that the Minister consult with the local government sector further on the powers proposed to be given to mayors to suspend councillors from council meetings, including implementing financial suspensions for similar periods.

Blacktown City Council - PFAS chemicals ban in all products and packaging

That Local Government NSW calls on the NSW Government to use the Plastic Reduction and Circular Economy Act 2021 to ban intentionally added Polyfluoroalkyl chemicals (PFAS) in all products that may impact human health especially all food packaging and products.

LGNSW Board - Trainees and apprentices

That Local Government NSW (LGNSW) writes to the NSW Premier and relevant ministers to:

1. commend the NSW Government's commitment of \$252 million in funding for councils to employ an additional 1,300 apprentices and trainees....

***Note from the LGNSW Board** - In early 2022 a Local Government Workforce Skills and Capability survey was undertaken to acquire comprehensive data to analyse the local government workforce in terms of its skilling needs, priorities and challenges. The survey report was funded by the Commonwealth Department of Infrastructure, Transport, Regional Development, Communications and the Arts and delivered in conjunction with the Australian Local Government Association and its member associations. The NSW report highlights chronic skills shortages in the local government workforce, with the top five being Engineers, Urban & Town Planners, Building Surveyors, Project Managers and Accountants in the Professional and Technical category. The top five Occupational skill shortages in the Operational and Trade category were identified as Labourers, Supervisors/team leaders, Water treatment operator, Wastewater/sewerage operator and Tradespersons – Automotive, Mechanical and Plumber.*

LGNSW Board - Early childhood education and care

***Note from Board-** On behalf of local government early childhood education and care providers, Local Government NSW (LGNSW) is pleased to receive the newly released Early Childhood Education and Care Worker Retention Payment Guidelines. The ECEC sector provide an essential service to the community, and the chronic skills shortage has continued to be an issue for the sector. Australia's childcare industry has one of the largest unfilled vacancy ratios of any occupation (source). Over 300 Early Childhood Care and Education (ECEC) services are operated or coordinated by local government in NSW, including pre-school, long day care, family day care, mobile care, occasional care, vacation care and outside of school hours care (source). Council run ECEC services tend to be very high quality, with a greater proportion of services exceeding the National Quality Standards. Many of these ECEC services cater to a high number of vulnerable families and children with disability, and in rural and regional NSW, councils are sometimes the only providers of childcare services. However, many councils are facing significant financial challenges in providing this service to their community. Whilst there are various funding streams available to support ECEC providers, the gap between the true value of the service provided and the subsidy offered is wide (and continues to widen).*

Not listed as priority but amended without descent by Bathurst Regional Council

Broken Hill City Council - Abolition of new cemeteries tax

That Local Government NSW calls on the State Government to abolish the newly introduced cemeteries tax.

**Amendment passed without descent by Bathurst Regional Council:*

2. and ensure that adequate resourcing is provided to councils to meet the new Interment Industry Scheme implementation standards and regulations.

LGNSW will publish a paper at a future date with the adoption result of all motions that were put to the floor during the conference.

5. Cost Shifting

Summarised by Gunnadah Shire Council:

Many councils throughout NSW are experiencing unprecedented financial pressure to deliver basic services when their revenue base is being eroded by inadequate rate peg allowances; cost shifting by the State Government and a halving of the Financial Assistance Grants. The latter used to be 1% of Federal Tax Revenue and is now a paltry 0.5%. Councils, especially those in non metropolitan areas, are going backwards financially and have limited means to raise additional funds to be able to maintain basic services, let alone address the backlog of infrastructure maintenance that is piling up year upon year. Of the 128 councils in NSW there have been 250 Special Rate Variation (SRV) applications in the past 10 years. This surely indicates that the system is broke and needs fixing.

Summarised by Leeton Shire Council by motion:

That in the interests of NSW councils' financial sustainability and in the interests of slowing down cost shifting, Local Government NSW calls on the NSW State Government and Office of Local Government to align government determined statutory fees / charges and government determined service costs to the IPART determined annual rate increase, ideally at the highest rate-peg increase for statutory fees (that have lagged for many years) and lowest rate-peg increase for government determined service costs (that have increased well above the rate-peg in recent years).

Summarised by Singleton Council:

Transfer of responsibilities (or cost shifting) is one of the most significant problems faced by councils in NSW because it undermines the financial sustainability of our sector by forcing councils to assume responsibility for more infrastructure and services without sufficient corresponding resourcing. Examples include local government elections, waste management, the Emergency Services Compensation Scheme and most recently the accounting treatment of Rural Fire Service (RFS) assets. Local councils are well placed to deliver the needs of the local community and will continue to work closely with state and federal governments to deliver state and federal programs at the local level, however this relies on an adequate source of corresponding revenue, or revenue raising capacity.

6. Government Reviews

NSW Government - Ability of local governments to fund infrastructure and services:

This inquiry was established on 14 March 2024 to inquire into and report on the ability of local governments to fund infrastructure and services.

Chair: Emily Suvaal (ALP, LC Member)
Deputy Chair: Sam Faraway (NAT, LC Member)

Report: Yet to be delivered.

<https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=3040>

Federal Government - Inquiry into local government sustainability

The Committee adopted an inquiry into local government sustainability on 21 March 2024, following a referral from the Minister for Infrastructure, Transport, Regional Development and Local Government, the Hon Catherine King MP.

Chair: Luke Gosling (ALP)
Deputy Chair: Tony Palin (LIB)

Report: Yet to be delivered.

<https://www.aph.gov.au/LocalGovernmentSustainability#:~:text=The%20Committee%20adopted%20an%20inquiry,the%20Hon%20Catherine%20King%20MP.>

Conclusion

Attending the LGNSW 2024 was an invaluable experience for fostering collaboration, gaining insights, and addressing shared challenges. It provided a platform to discuss pressing issues, learn from expert speakers, and to explore best practices in governance. Delegates benefit from networking opportunities, exchanging ideas with peers, and engaging in critical decision-making processes like debating motions and shaping advocacy priorities. Such conferences empower councils to advocate effectively, adapt to emerging trends, and strengthen their capacity to serve their communities.

FINANCIAL IMPLICATIONS:

Nil

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 6: Community leadership and collaboration.

- | | |
|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| Strategy 6.1 | Communicate and engage with the community, government and business groups on important matters affecting the Bathurst region. |
| Strategy 6.2 | Work with our partners and neighbouring councils to share skills, knowledge and resources and find ways to deliver services more efficiently. |

COMMUNITY ENGAGEMENT:

01 **Inform** - to provide the public with balanced and objective information to help them understand the problem, alternatives, opportunities and/or solutions.

ATTACHMENTS:

Nil

MINUTE

RESOLUTION NUMBER: ORD2024-356

MOVED: Cr J Underwood SECONDED: Cr S Wright

RESOLVED:

That the information be noted.

12 RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS

12.0 RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE

12.0.1 Resolve into Confidential Committee of the Whole

MINUTE

RESOLUTION NUMBER: ORD2024-357

MOVED: Cr E West SECONDED: Cr S Wright

The Mayor invited members of the public to make submissions on whether the matter/s should or should not be dealt with in Confidential Committee.

There were no representation from the public.

RESOLVED:

That:

Council resolve into closed Council to consider business identified, together with any late reports tabled at the meeting.

- (b) Pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
- (c) Correspondence and reports relevant to the subject business be withheld from access.

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005:

1. In accordance with Section 9(2A) of the Local Government Act 1993, it is the opinion of the General Manager that the following business is of a kind as referred to in section 10A(2) of the Act and should be dealt with in a part of the meeting closed to the media and public.
2. In accordance with Section 10B(1) it is considered that discussion of the matter in open meeting, would on balance, be contrary to the public interest.
2. In accordance with Section 10A(4) members of the public are invited to make representations to the Council as to whether the matters should or should not be dealt with in Confidential Committee.

12.1 MAYOR'S REPORT

12.1.1 GENERAL MANAGER'S APPRAISAL 2023-2024

REASON FOR CONFIDENTIALITY:

10A (2) (a) Deals with personnel matters concerning particular individuals (other than Councillors) disclosure of which would not be in the public interest as it would reveal personal details of the individuals concerned

This item relates to the General Managers Appraisal 2023/2024.

General Manager David Sherley declared a pecuniary interest in item 12.1.1 of the Mayoral Confidential Report and left the room.

REASON: Concerns the General Managers employment.

MINUTE

RESOLUTION NUMBER: CONF2024-69

MOVED: Cr J Underwood SECONDED: Cr E West

RESOLVED:

That:

- a) Council note the performance review of the General Manager, which was rated as better than satisfactory;
- b) Council note that the General Manager's employment package has been set at \$424,550 p.a.
- c) Council nominate Cr Packham as its representative on the Committee.
- d) The committee have a discussion over the appointed external facilitator in consultation with the General Manager.

12.2 DIRECTOR CORPORATE SERVICES AND FINANCE'S REPORT

12.2.1 TRANSFER OF AERODROME LEASE - 5 WINDSOCK WAY RAGLAN

REASON FOR CONFIDENTIALITY:

10A (2) (c) Contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business, and Commercial information of a confidential nature that would, if disclosed, (i) prejudice the commercial position of the person who supplied it, (ii) confer a commercial advantage on a competitor of the Council.

This item relates to transfer of Aerodrome Lease of 5 Windsock Way Raglan.

MINUTE

RESOLUTION NUMBER: CONF2024-70

MOVED: Cr W Aubin SECONDED: Cr E West

RESOLVED:

- a) Approves the transfer of the lease for 5 Windsock Way, Raglan to Gavin John Melville & Lenka Melville.
- b) Delegates authority to the General Manager to finalise the transfer of the lease, as detailed in the report.

12.2.2 COMMUNITY LICENCE OF OLD BUSH FIRE SHED PARK STREET EGLINTON

REASON FOR CONFIDENTIALITY:

10A (2) (c) Contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business, and Commercial information of a confidential nature that would, if disclosed, (i) prejudice the commercial position of the person who supplied it, (ii) confer a commercial advantage on a competitor of the Council.

This item relates to a Community Licence Agreement for Old Bush Fire Shed, Park Street Eglinton.

MINUTE

RESOLUTION NUMBER: CONF2024-71

MOVED: Cr E West SECONDED: Cr N Packham

RESOLVED:

That Council:

- a) Enter into a community licence agreement for Old Bushfire Shed, Park Street Eglinton being Part Lot 72 in Deposited Plan 1136842 with Bathurst Lapidary and Collectors Club Incorporated for a period of five (5) years, as detailed in the report; and
- b) Delegate authority to the General Manager to finalise and execute the necessary documents associated with this licence.

12.2.3 COMMERCIAL LEASE AGREEMENT 1/55 SEYMOUR STREET

REASON FOR CONFIDENTIALITY:

10A (2) (c) Contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business, and Commercial information of a confidential nature that would, if disclosed, (i) prejudice the commercial position of the person who supplied it, (ii) confer a commercial advantage on a competitor of the Council.

This item relates to a commercial lease for unit 1/55 Seymour Street Bathurst.

MINUTE

RESOLUTION NUMBER: CONF2024-72

MOVED: Cr N Cranston SECONDED: Cr T Gullifer

RESOLVED:

That Council:

- a) Enter into a commercial lease agreement with Australian Unity Home Care Services Pty Ltd ACN 085 317 595 for 1/55 Seymour Street Bathurst, being part Lot 180 in Deposited Plan 862410 for a period of two (2) years, as detailed in the report and subject to Council's insurance requirements; and
- b) Delegate authority to the General Manager to execute the necessary documents associated with this lease.

12.3 DIRECTOR ENGINEERING SERVICES' REPORT

12.3.1 TENDER FOR HIRE OF PLANT

REASON FOR CONFIDENTIALITY:

10A (2) (d) (i) Contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

This item relates to tenders for the hire of plant for 2025 and 2026.

MINUTE

RESOLUTION NUMBER: CONF2024-73

MOVED: Cr E West SECONDED: Cr J Underwood

RESOLVED:

That Council accepts the tenders for the Hire of Plant for 2025 and 2026, as listed in the Director Engineering Services' report, subject to submission of complete information being supplied for casual hire, and in accordance with the General Conditions for the Hire of Plant.

12.3.2 TENDER FOR HIRE OF TRUCKS/WATERCARTS

REASON FOR CONFIDENTIALITY:

10A (2) (d) (i) Contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

This item relates to tenders for the hire of trucks/watercarts for 2025 and 2026.

MINUTE

RESOLUTION NUMBER: CONF2024-74

MOVED: Cr N Packham SECONDED: Cr N Cranston

RESOLVED:

That Council accept the tenders for the Hire of Trucks/Watercarts for 2025 and 2026, as listed in the Director Engineering Services' report, subject to submission of complete information being supplied for casual hire, and in accordance with the General Conditions for the Hire of Trucks/Watercarts.

12.3.3 TENDER FOR THE SUPPLY AND DELIVERY OF ROADBASE & QUARRY ROCK MATERIAL

REASON FOR CONFIDENTIALITY:

10A (2) (d) (i) Contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

This item relates to tenders for the supply and delivery of roadbase and quarry rock material.

MINUTE

RESOLUTION NUMBER: CONF2024-75

MOVED: Cr T Gullifer SECONDED: Cr E West

RESOLVED:

That Council accepts tenders for the supply and or delivery from the following providers:

- a) Hanson Construction Materials
- b) Boral Resources (Country) Pty Ltd
- c) Oberon Quarries Pty Ltd and
- d) Hothams Sand Soil and Gravel Pty Ltd for the supply of 'Natural Gravel'

For the supply and delivery of road base and quarry products from 1 January 2025 to 31 December 2026, as and when required, as listed in the Director Engineering Services' report.

12.3.4 TENDER FOR THE SUPPLY & DELIVERY OF CONCRETE

REASON FOR CONFIDENTIALITY:

10A (2) (d) (i) Contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

This item relates to tenders for the supply and delivery of ready-mix concrete.

MINUTE

RESOLUTION NUMBER: CONF2024-76

MOVED: Cr W Aubin SECONDED: Cr N Packham

RESOLVED:

That Council accepts the tender from Wellmix Concrete Supplies Pty Ltd for the supply of ready-mix concrete from 1 January 2025 to 31 December 2026, as and when required as detailed in Contract 36.00838.

12.3.5 TENDER FOR THE SUPPLY, DELIVERY AND LAYING OF ASPHALTIC CONCRETE SURFACING

REASON FOR CONFIDENTIALITY:

10A (2) (d) (i) Contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

This item relates to the tender for the supply, delivery and laying of asphaltic concrete surfacing.

MINUTE

RESOLUTION NUMBER: CONF2024-77

MOVED: Cr W Aubin SECONDED: Cr N Cranston

RESOLVED:

That Council accept the schedule of rates tender from Downer EDI Works Pty Ltd for the Supply, Delivery and Laying of Asphaltic Concrete Surfacing for Contract No. 36.00839 from 1 January 2025 to 31 December 2026, with an option to extend for a further 12 months.

13 RESOLVE INTO OPEN COUNCIL

MINUTE

RESOLUTION NUMBER: CONF2024-78

MOVED: Cr W Aubin SECONDED: Cr R Taylor

RESOLVED: That Council resume open Council.

14 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

MINUTE

RESOLUTION NUMBER: ORD2024-358

MOVED: Cr J Underwood SECONDED: Cr E West

RESOLVED:

That the Report of the Committee of the Whole, resolution numbers Conf2024-69 to Conf2024-78 be adopted.

15 MEETING CLOSE

MINUTE

The Meeting closed at 9.26PM.

CHAIR:
